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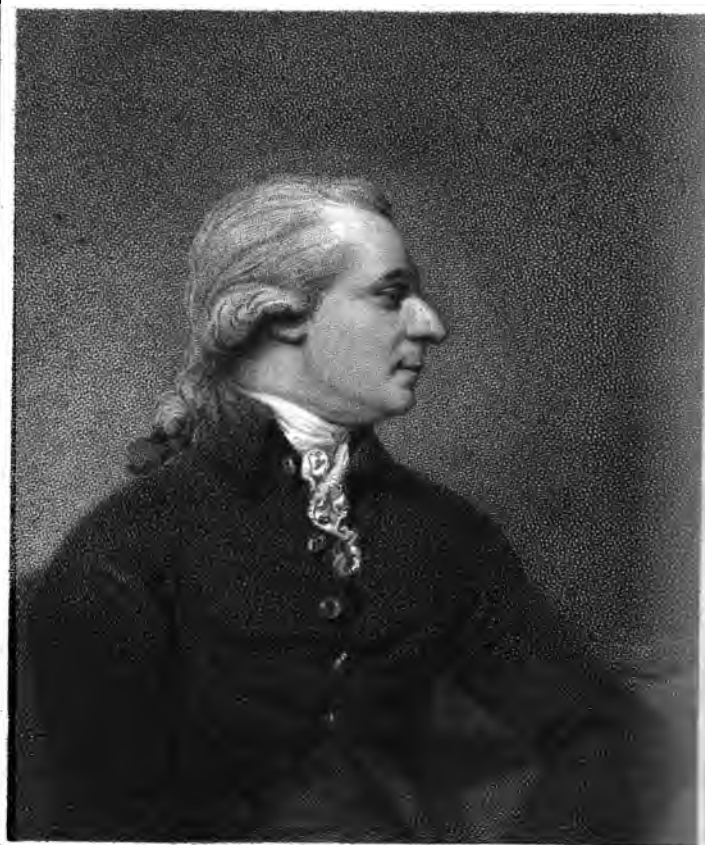
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The Right Honourable
WILLIAM GERARD HAMILTON,
One of his Majesty's Most Honourable
Privy Council,
And Chancellor of the Exchequer, in Ireland.

Published by T Payne, Pall Mall, March 1. 1808.

PARLIAMENTARY LOGICK:

TO WHICH ARE SUBJOINED

TWO SPEECHES,

Delivered in the House of Commons of Ireland,

AND OTHER PIECES;

BY THE RIGHT HONOURABLE
WILLIAM GERARD HAMILTON.

1729-96

WITH AN APPENDIX, CONTAINING
CONSIDERATIONS ON THE CORN LAWS,

BY SAMUEL JOHNSON, LL.D.

NEVER BEFORE PRINTED.

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ERRATA.

P. 49, l. 3 from the bottom, for "easier answered," read "easier to be answered."

151, l. 5. for "1661," read "1643."

177, l. 2. after "enemies" put a comma.

201, l. 2. read, "First printed in quarto, in 1750."

210, l. 2. *dele* "mild," and for "lethean," read "lethæan."

It should have been observed, that the Notes subjoined to the Poems are the Author's own; for the few other remarks the Editor is answerable.

PREFACE.

WHETHER we consider the singular curiosity and novelty of the subject, or the ability with which it has been treated, few works have for many years been issued from the press, which have had a stronger claim to publick attention, than that to which the first place has been assigned in this volume.

Many English rhetorical and logical treatises have at various times been published; but there is not extant in our language any piece that bears the slightest resemblance to that before us. They have generally, if not always, been composed by sequestered scholars, unacquainted with the real forms of business, and the actual proceedings and discussions of the House of Commons and Westminster Hall. But in

the treatise on **PARLIAMENTARY LOGICK** we have the fruit and result of the experience of one, who was by no means un-conversant with law, and had himself sat in Parliament for more than forty years ;— who in the commencement of his political career burst forth like a meteor, and for a while obscured almost all his contemporaries by the splendour of his eloquence ;—who was a most curious observer of the characteristick merits and defects of the distinguished speakers of his time ;—and who, though after his first effort he seldom engaged in publick debate, devoted almost all his leisure and thoughts, during the long period above mentioned, to the examination and discussion of all the principal questions agitated in Parliament, and of the several topicks and modes of reasoning, by which they were either supported or opposed. Hence in the rules and precepts here accumulated, which are equally adapted to the use of the pleader and the orator, nothing vague, or loose, or general, is delivered ;

and the most minute particularities and artful turns of debate and argument are noticed with admirable acuteness, subtilty, and precision. The work, therefore, is filled with practical axioms, and parliamentary and forensick wisdom ; and cannot but be of perpetual use to all those persons who may have occasion to exercise their discursive talents within or without the doors of the House of Commons ;—in conversation, at the Bar, or in Parliament.

This tract was fairly written out by the author ; and therefore may be presumed to have been intended by him for the press. He had shewn it to his friend, Dr. Johnson, who considered it a very curious and masterly performance. He objected, however, to the too great conciseness and refinement of some parts of it ; and wished that some of the precepts had been more opened and expanded. Undoubtedly they might have been expanded and enlarged with great advantage ; and if **EXAMPLES** had been occasionally introduced, to shew the truth and

propriety of some of the rules and observations, they would have been a very useful and ornamental addition to the work. It is observable, that in the various additions which Bacon in the course of twenty-four years made to his invaluable *Essays*, (for he not only at different times wrote several new *Essays*, but augmented the old,) *EXAMPLES*, illustrative of his precepts, make a considerable part.

To this tract have been subjoined two *Speeches* made by Mr. Hamilton in Parliament, and some *Poems* written by him at an early age, of which a more particular account will be given hereafter.

That no production of so great a writer as Dr. Johnson might be lost, the little treatise entitled *CONSIDERATIONS ON CORN*, has been added as an Appendix to these pieces of his friend. This tract, in which Johnson for the first time appears as a teacher in an important branch of political economy, is printed from a copy in his hand-writing, and shews how readily his

great mind could apply itself to subjects, to which the general course of his studies had little relation. A passage in his **PRAYERS AND MEDITATIONS** will best explain how it came to be found among our author's papers. In the 61st page of that work, we find a prayer, dated — November, 1765, on “**ENGAGING IN POLITICKS with H——n,**” unquestionably meaning Mr. Hamilton. From the generality of these words Johnson's ingenious biographer was led to suppose, that he was then seized with a temporary fit of ambition; and that hence he was induced to apply his thoughts to the study of law and politicks. But Mr. Boswell was certainly mistaken in this respect; and these words merely allude to Johnson's having at that time entered into some engagement with Mr. Hamilton, occasionally to furnish him with his sentiments on the great political topicks that should be considered in Parliament. Mr. Hamilton was extremely fond of this kind of discussion; and long intending, or at

least meditating, to take a part in the debates that arose on several important questions during his time, he endeavoured to obtain from every quarter all possible information on the various subjects that occurred; and hence among his manuscripts are several books filled with *ADVERSARIA*, written by himself, on many political topicks. In one of these volumes was found Johnson's "Considerations on the Corn Laws," which certainly were written in November, 1766, when the policy of the parliamentary bounty on the exportation of Corn became naturally a subject of discussion. The harvest in that year had been so deficient, and corn had risen to so high a price, that in the months of September and October there had been many insurrections in the midland counties, to which Johnson alludes; and which were of so alarming a kind, that it was necessary to repress them by military force. In these tumults several persons were killed. The Ministry therefore thought it expedient to

accelerate the meeting of Parliament, which was assembled in November; and the King's Speech particularly mentions the scarcity that had taken place (which had induced his Majesty to prevent the further exportation of corn by an embargo), and the tumultuous and illegal conduct of the lower orders of people in consequence of the dearth.

To this brief account of the principal pieces contained in this volume, it may not be improper to add a few words concerning their author.

William Gerard Hamilton was the only son of William Hamilton, Esq, a younger son of Mr. Hamilton of Wishaw *, in the shire of Lanerk in Scotland, by a daughter of Sir Charles Erskine, of Alva, who was a younger brother of the Earls of Marr and Buchan. His mother was Hellen Hay, one

* The title of Belhaven was entailed on the family of Wishaw; and the present Lord Belhaven is great nephew to Mr. William Gerard Hamilton's father, being the lineal descendant and heir of his elder brother.

of the sisters of David Bruce, of Kinnaird; Esq. who, relinquishing his family name, assumed that of Bruce, for the estate of Kinnaird, and was father of the celebrated Abyssinian traveller.

Our author's father, who had for some time been an Advocate in the Court of Session in Scotland, in order to avail himself of the emoluments and advantages which were held out by the newly-created appellate jurisdiction, in consequence of the Union between that country and England in 1707, shortly after that event migrated to London; and having been admitted to the English Bar by the Society of Lincoln's Inn, he soon became eminent, and was employed in almost every appeal from Scotland to the House of Lords, for a great number of years. Hence the birth of his son in Lincoln's Inn, where he was born on the 28th of January 1728-9, O. S. and baptized on the 25th of the following month*. He derived the name of Gerard from his

* Register of Lincoln's Inn Chapel.

godmother, Elizabeth, the only daughter and heir of Digby Lord Gerard of Bromley, and, at the time of her godson's birth, the widow of James the fourth Duke of Hamilton, who was unfortunately killed in a duel by Lord Mohun, in November, 1712.

He was bred at Winchester school, then under the care of Dr. Burton; and from thence was removed to Oriel College in Oxford, where he was admitted a Gentleman-Commoner, March 1st, 1744-5, Dr. Bentham being his tutor. That during his residence at Oxford he did not neglect those studies which he had commenced at Winchester, may be presumed from the poems introduced in this volume, which probably were written in 1748 or 1749, before he had attained his twenty-first year, and exhibit proofs of classical acquirements, and a correct and cultivated taste. They were originally printed in quarto in 1750, and appear to have been at first intended for publication; but it is believed, that from an unwillingness to encounter the shafts of

criticism, he did not publish these early productions, contenting himself with distributing only a few copies for the gratification of a select number of his friends.

His father wishing that he should pursue the study of the law, on his leaving Oxford he became a Member of Lincoln's Inn, and probably for some time employed himself in acquiring the elements of law; a study of which he was all his life extremely fond, however little, at that time, he might relish those minute and laborious researches which are requisite for the practice of that profession. It is certain that he soon relinquished all thoughts of engaging in such a course; for his father dying on the 15th of January 1754, and having bequeathed to this his only son a very respectable fortune, he became at liberty to follow the bent of his inclinations, which were strongly directed to a political life. Hence in a few months after that event he came into Parliament, being chosen one of the Members for Petersfield in Hampshire, on

the general election in May, 1754. His wish for political distinction must have been, even at that early period, extremely strong; for his manuscript collections, dispersed in many volumes, exhibit unquestionable proofs of a great desire to attain all such knowledge as might be useful in that department which he had chosen for himself. His researches respecting the English Constitution and municipal law, the charters of our great trading companies, the law of nations, and many branches of civil polity, are so multifarious, that it is believed, few students ever took more pains to become eminent advocates at the Bar, than he did to acquire such stores of political knowledge, as might give him an indisputable claim to the character of a wise and distinguished statesman.

Having sat in the House of Commons for a year *, his first effort as a speaker was

* The new Parliament in which Mr. Hamilton was returned for Petersfield, though elected in May, 1754, did not meet till November in that year.

made on the opening of the session, November thirteenth, 1755; when, to use the words of Waller, respecting his contemporary, Denham, "he broke out, like the Irish rebellion, three-score thousand strong, when nobody was aware, or in the least suspected it *." The debate arose on an Address to the Crown, in which the Minister took occasion to introduce an indirect approbation of the Treaties which recently before the meeting of Parliament had been concluded by his Britannick Majesty, with the Emperor of Russia, and the Landgrave of Hesse Cassel. This subject, on the first view, does not seem very favourable to a display of eloquence; but it is certain that no first speech in Parliament ever produced such an effect, or acquired such eulogies, both within and without the House of Commons; and perhaps few modern speeches of even veteran orators ever obtained a higher or more general reputation.

* Wood's *ATHEN. OXON.* II. 423. edit 1721.

Of this celebrated speech there is reason to believe that no copy remains ; but of its extraordinary vigour and excellence, as well as of the great impression which it made, when it was delivered, we have abundant proof in one of the Letters of Mr. Horace Walpole, (many years afterwards Earl of Orford,) who was himself in Parliament at that time ; and writing to his friend Mr. Conway, then Secretary to the Lord Lieutenant of Ireland, two days after the debate, (November 15, 1755,) has left the following eulogy on our author's eloquence :

“ The engagement was not more decisive than long. We sat till within a quarter of five in the morning ; an uninterrupted serious debate from before two. Lord Hillsborough moved the Address, and very injudiciously supposed an opposition. Martin, Legge's secretary, moved to omit in the Address the indirect approbation of the treaties, and the direct assurances of protection to Hanover*. These

* The nation being at that time on the eve of a war with France, an attack on Hanover was apprehended.

questions were at length divided; and against Pitt's inclination, the last, which was the least unpopular, was first decided by a majority of 311, against 105. Many went away, and on the next division the numbers were 290 to 89. These are the general outlines. The detail of the speeches, which were very long, and some extremely fine, it would be impossible to give you in any compass *."—The writer then proceeds to enumerate the speakers in the debate; the principal of whom, on the side of the Opposition, were Mr. Dodding-ton, Mr. George Grenville, Mr. Beckford, Mr. Legge, Mr. Potter, Lord Egmont, and Mr. Pitt: on the part of the Administration, Lord Hillsborough, Sir George Lyttelton, Mr. Hamilton, Mr. Nugent, Mr. Murray, the elder Horace Walpole,

* The principal topics of argument for and against the Treaties here alluded to, may be found in the LITERARY MAGAZINE, from June 15, to July 15, 1756, p. 119; where they are stated by Dr. JOHNSON with his usual energy and ability.

and Mr. Fox. After giving his opinion of several of these gentlemen's speeches on that day, Mr. Walpole proceeds thus:—

“ Mr. Fox was fatigued, and did little; George Grenville was very fine, and much beyond himself, and very pathetick. The Attorney General [Murray] in the same style, and very artful, was still finer.—Then there was a young Mr. HAMILTON, who spoke for the first time, AND WAS AT ONCE PERFECTION. His speech was set, and full of antitheses; but those antitheses were full of argument: indeed his speech was the most full of argument of the whole day; and he broke through the regularity of his own composition, answered other people, and fell into his own track again with the greatest ease. His figure is advantageous, his voice strong and clear, his manner spirited, and the whole with the ease of an established speaker*.”

When the Treaties came regularly be-

* Works of Horatio Earl of Orford, vol. v. p. 41.

fore the House in February, 1756, Mr. Hamilton took part in the debate, and according to Mr. Walpole's account, "shone again;" but probably with somewhat less lustre than on the former occasion. So great and general, however, was the admiration of his talents, that Mr. Fox, then one of the principal Secretaries of State, not long after the delivery of his celebrated speech, offered him a respectable situation under the Administration of which he was himself one of the principal supporters; and on the 24th of the following April, Mr. Hamilton, then only in his twenty-eighth year, was appointed one of the Lords of Trade. Having sat about five years at that Board, by which means he became intimately acquainted with George Earl of Halifax, its President, on that nobleman's being appointed Lord Lieutenant of Ireland in March, 1761, Mr. Hamilton accepted the office of his Principal Secretary, and accompanied him to Dublin in the latter end of that year.

Whether from an unwillingness to hazard the high reputation which he had acquired by the two speeches delivered in the British House of Commons, or prevented by that nervousness of frame which repressed his parliamentary exertions for a long period in his more advanced years, and finally ended in a paralytick disorder, Mr. Hamilton had never taken any part in the various debates which arose there, after he had acquired a seat at the Board of Trade. He was now, however, in a situation where it was absolutely necessary for him to exert those excellent talents which he possessed, and to overcome those feelings, whether of indolence or timidity, which had kept him silent for some years. As Principal Secretary to the Lord Lieutenant of Ireland, he was the chief Minister of the Crown in the Irish House of Commons; and consequently was expected on all great occasions to support such measures as should be propounded by the Administration. He accordingly entered on his new office with

the same ardour and energy which had marked his first efforts in the British Senate ; and in the course of the session, which began in November 1761, and ended in the middle of the following year, made five speeches on various occasions, which fully answered the expectations of his auditors ; on whom so great was the impression of his eloquence, that at the distance of near fifty years it is not quite effaced from the minds of such of them as are yet living. The subject of his first speech was a money-bill originating in the Privy-Council of Ireland, and sent by them to the House of Commons ; on which it is not necessary to enlarge, the speech itself, with an explanatory introduction, being printed in this volume. Doubtless, however, in the delivery, he made many valuable additions to what is here preserved. The other subjects on which he spoke in Ireland, were,—the Commons' Address to the Lord Lieutenant ;—the Message from the Crown for raising additional forces, in

consequence of Spain's having joined with France in the war against England * ;—a proposition made by a gentleman in opposition, to lay a tax on pensions held by persons who did not reside in Ireland six months in every year ;—and a motion for raising five new regiments, entirely composed of Roman Catholicks.

The fame that he had acquired in England, followed him into the Irish House of Commons, and excited an opinion of his parliamentary abilities, which it certainly was not easy to satisfy : but he rather exceeded than disappointed the high expectations that had been formed of his rhetorical talents.—Lord Orford's delineation of his eloquence is so particular, and so conformable to the accounts of other persons of those times, that little need be added to it. However, it may not be improper to observe, that his manner was so vivid and energetick, that he seemed to be urged on by an irre-

* See p. 165 of this volume.

sistible impulse, and to be almost unable to stop, or to take breath : he never hesitated for a moment ; and though his voice was somewhat too thin and sharp, yet even that circumstance, and the great precision and accuracy of his enunciation, aided by the elegance of his language and the vigour of his argument, enforced a constant attention ; and so highly were his hearers gratified, that from the commencement to the end of each of his several speeches, such a profound silence was preserved, that not a word seemed to be uttered by any of the Members, nor could a murmur be heard in the spacious galleries of the Irish House of Commons, which were completely filled with auditors on those occasions. Such is the account of this celebrated orator, given by persons of unquestionable taste and judgment, who were witnesses of the extraordinary effects produced by his eloquence, during the time that Lord Halifax continued in the government of Ireland. Mr. Hamilton attended his successor in

the Lieutenancy, Hugh Earl of Northumberland, in the same office, in 1763 ; but it is believed, his exertions in that session were less splendid and less frequent ; and before it concluded, on some disgust he resigned his office.

On his return to England, and for a long time afterwards, he certainly meditated taking an active part in the political warfare of the House of Commons ; having, as has been already observed, made many preparatory collections on the various subjects which were agitated there for several years. But he never again addressed the Chair, though he was chosen into every new Parliament that was summoned from that time to May 1796 *, when he was

* The last Parliament in which he sat, was dissolved May 21st, 1796, about two months before his death. On the day of the dissolution he wrote the following letter to a Nobleman, by whose interest he had been returned into parliament in 1790 ; which does our author so much honour, that it has been thought proper to be preserved in this place :

nearly the father of the House of Commons. In this period, the only office that

MY DEAR LORD,

I am now on the point of receiving from your Lordship a very flattering and distinguished mark of your favour. After having first expressed, in the fullest manner, the gratitude I feel, and the high sense I entertain of this intended kindness, I think it is my duty in the next place, both in justice to your Lordship and to myself, to explain distinctly the circumstances under which alone I can accept the honour you propose to me.

Having been long in parliament, and near forty years in the free and uncontrouled exercise of my judgement upon every political question that occurred, I could not wave, at the end of a long parliamentary life, this invaluable privilege, without the utmost regret and mortification.—Your Lordship must be sensible, that at my age and with my infirmities, a seat in Parliament can be an object neither of interest or of ambition; and that what alone can render this situation desirable to me, is the power of thinking for myself; and its being known to the world how favourably I am thought of by your Lordship.—If upon this explanation, thus distinctly understood by your Lordship, you shall condescend to think me worthy of your protection, it would be the highest gratification to my vanity.

he filled was that of Chancellor of the Exchequer in Ireland, which he held from

If these sentiments should not meet with your Lordship's approbation, I must beg leave to request that you would transfer to some other person whom you may think more worthy of your confidence, the honour * * * * *. And though in this event I may be deprived of your patronage, I flatter myself I may still continue in possession of your friendship, which I shall always hope to deserve and to retain ; and upon which I set the highest value.

I have taken the liberty of troubling your Lordship with this letter, to avoid the possibility of any misconception between us ; as I should brook ill the reflection that my conduct had in any instance been thought liable by you to any degree of blame, or give occasion in your Lordship's mind to the slightest dissatisfaction. At all events, nothing can make me forget the obligations I have already had to you, and which will for ever make me remain,

Your Lordship's most devoted,
and obedient humble servant,

W. G. HAMILTON.

Upper Brook-street,
Saturday, May 21, 1796.

On the general election which took place soon after this letter was written, Mr. Hamilton was not returned into Parliament.

September 1763, to April 1784, when he resigned it to Mr. Foster, in order to accommodate the Government of Ireland, from whom he received an equivalent compensation.

In the earlier part of this interval, (from January 1769, to January 1772,) some persons, unwilling to believe that he was wholly idle, have supposed him to have been the author of the celebrated Letters of JUNIUS; an opinion which it may be safely asserted, never could be entertained for a moment by any competent judge, who was personally and intimately acquainted with Mr. Hamilton.—On this subject it is not necessary to be diffuse. It is manifest that the writer of JUNIUS was a warm partisan, strongly attached to some one of the various parties subsisting at the time when he wrote, probably to that of the Marquis of Rockingham; notwithstanding its being thrown out by way of blind, in one of those papers, that the administration of that Nobleman “dissolved in its own weak-

sets *." Now (not to insist on his own solemn asseveration near the time of his

* The precise words are,—“ Apparently united with Mr. Grenville, you waited until Lord Rockingham's feeble Administration should dissolve in its own weakness.” Letter to his Grace the Duke of Bedford, 17 September, 1769.—These words, it is believed, have been erroneously supposed to contain a personal reflection on Lord Rockingham himself; but the meaning seems to be, that Lord Rockingham's Administration was not sufficiently strong in parliamentary interest and connexions, or in the favour and confidence of the King, to retain its power.—That imbecility was not intended to be imputed to Lord Rockingham himself, is manifest from the author's having elsewhere spoken of that Nobleman with admiration and respect. See his Letter to the Duke of Grafton, 8 July, 1769: “ But there were certain services to be performed for the Favourite's security, or to gratify his resentment, which your predecessors in office had the wisdom or the virtue not to undertake. The moment that refractory spirit was discovered, their disgrace was determined. Lord Chatham, Mr. Grenville, and Lord ROCKINGHAM, have successively had the honour to be dismissed for preferring their duty, as servants of the publick, to those compliances which were expected from their station.”—Again, *ibid.*: “ Lord Bute

death, that he was not the author of JUNIUS *,) Mr. Hamilton was so far from being an ardent party-man, that during the long period above mentioned, he never closely connected himself with any party whatsoever. If indeed Richard Earl Temple had ever attained the situation of First Lord of the Treasury, by the favour of that Nobleman he would probably have filled the office of Chancellor of the Exchequer ; but this single circumstance is surely not a sufficient ground to denominate him a party-man. Notwithstanding his extreme love of political discussion, he never, it is believed, was heard to speak of any Administration or any Opposition with vehe-

found no resource of dependence or security in the proud, imposing, superiority of Lord Chatham's abilities, the shrewd inflexible judgment of Mr. Grenville, nor in *the mild and determined integrity* of Lord ROCKINGHAM."

* It has been said that he at the same time declared that he *knew* who was the author ; but unquestionably he never made any such declaration.

mence either of censure or of praise ; a character so opposite to the fervent and sometimes coarse acrimony of JUNIUS, that this consideration alone is sufficient to settle the point, as far as relates to our author, for ever.

Many other circumstances will occur to those who were personally acquainted with Mr. Hamilton, which are utterly incompatible with his being the author of that work. On the question,—who *was* the author,—he was as free to talk as any other person, and often did express his opinion concerning it to the writer of this short memoir ; an opinion nearly coinciding with that of those persons who appear to have had the best means of information on the subject.—In a conversation on this much-agitated point, he once said to an intimate friend, in a tone between seriousness and pleasantry,—“You know, H*****n, I could have written better papers than those of JUNIUS :” and so the gentleman whom he addressed, who

was himself distinguished for his rhetorical powers, and a very competent judge, as well as many other persons, thought.

It may be added, that his style of composition was entirely different from that of this writer; as may eminently appear from the answer to the Address of the Irish House of Commons, which he drew up for Lord Halifax, in 1762; a short composition indeed, but in elegance, and felicity of expression, surpassed by few pieces of the same length in our language:—*

That he had none of that minute and *commissarial* knowledge of petty military matters, which is displayed in some of the earlier papers of JUNIUS:—

That he never would have advanced any questionable legal doctrine, as JUNIUS has done; for delighting in such disquisitions, he would have made himself perfectly master of the subject on which he was to write, by his own investigation, or by the aid of

* See p. 197 of this volume.

those high characters in the law department with whom he lived in great intimacy ; whose opinions he might without any danger of detection have elicited in conversation, the points to which I allude being then topicks of ordinary and frequent discussion :—

That, having been educated at the University of Oxford, he never would have used the term COLLEGIAN, for an academick or gownsman :—

That he never would have spoken of the *merit* of Oliver Cromwell in conducting Charles the First to the block ; nor would he ever have denominated the brutal President of the illegal and sanguinary Court by which that Monarch was murdered,—“ the ACCOMPLISHED Bradshaw.”—(This observation may also serve clearly to shew, that another great orator and statesman, whose transcendent talents were equal to much higher productions, but who was no favourer of regicides, was not himself the author of these Letters ; however they may

have emanated from his school, or may have been occasionally decorated, without his knowledge or any communication *for that purpose*, by some of those images and illustrations with which his mind was so abundantly stored, that they overflowed even in his common conversation.)

And finally it may be observed, that the figures and allusions of JUNIUS are often of so different a race from those which our author would have used, that he never spoke of some of them without the strongest disapprobation; and particularly when a friend, for the purpose of drawing him out, affected to think him the writer of these papers; and, bantering him on the subject, taxed him with that passage in which a Nobleman, then in a high office, is said to have “travelled through every sign in the political Zodiac, from the SCORPION, in which he *stung* Lord Chatham, to the hopes of a VIRGIN,” &c.—as if this imagery were much in his style,—Mr. Hamilton with great vehemence exclaimed, “Had I writ-

ten such a sentence as that, I should have thought I had forfeited all pretensions to good taste in composition for ever."

But without dwelling further on these circumstances, it is sufficient to say, that he was so far from being the political zealot which JUNIUS assuredly was, that he had no very strong attachment to any Party whatsoever. He indeed considered politicks as a kind of game, of which the stake or prize was the Administration of the country. Hence he thought, that those who conceived that one Party were possessed of greater abilities than their opponents, and were therefore fitter to fill the first offices in the State, might with great propriety adopt such measures (consistent with the Constitution) as should tend to bring their friends into the administration of affairs, or to support them when invested with such power; without weighing in golden scales the particular parliamentary questions which should be brought forward for this purpose: as, on the other hand, they who

had formed a higher estimate of the opposite Party, might with equal propriety adopt a similar conduct, and shape various questions for the purpose of shewing the imbecility of those in power, and substituting an abler Ministry, or one whom they consider abler, in their room ; looking on such occasions rather to the *object* of each motion, than to the question itself. And in support of these positions, which, however short they may be of theoretical perfection, do not perhaps very widely deviate from the actual state of things, he used to observe, that if any one would carefully examine all the questions which have been agitated in Parliament from the time of the Revolution, he would be surprised to find how *few* could be pointed out, in which an honest man might not conscientiously have voted on either side ; however by the force of rhetorical aggravation, and the fervour of the times, they may have been represented to be of such importance, that the very existence of the State depended on the result

of the deliberation. Some questions, indeed, he acknowledged to be of a vital nature; of such magnitude, and so intimately connected with the safety and welfare of the whole community, that no inducement or friendly disposition to any Party ought to have the smallest weight in the decision. One of these in his opinion was, the proposition for a PARLIAMENTARY REFORM, or, in other words, for new modelling the constitution of Parliament; a measure which he considered of such moment, and of so dangerous a tendency, that he once said to a friend now living, that he would sooner suffer his right hand to be cut off, than vote for it.

Mr. Hamilton's talents were of the first rate. He possessed a very acute understanding; the quickest conception, and the clearest discernment and judgment. The facility, elegance, and precision, with which he expressed his sentiments, were unrivalled. In conversation his style was generally compressed, sententious, and energetick; but perhaps somewhat too much abounded

in points and antitheses. His wit was of a peculiar kind; rather acute and shrewd, than lively and brilliant; yet it was often playful, particularly in improving on a fanciful idea suggested by another. He saw through characters by an intuitive glance, and portrayed them with uncommon felicity, by a few bold and masterly touches. His sensibility was exquisite. Hence among strangers he was reserved; and to those whose manners were vulgar and boisterous, or whose talk denoted a shallowness of intellect, he was somewhat fastidious, and could not easily conceal his dislike. But in a select company, and among his particular friends, he was frank, easy, and communicative; yet even in his freest hours, his conversation, though unstudied, was animated and elegant, and strongly marked by that curiosity of expression which very happily suited the conceptions of his mind. In argument he was ingenious, acute, and candid. His criticism on books was almost always just, and seldom obvious. He had

read many of the most celebrated authors of the seventeenth century, with a particular view to their language; and in forming his style on the best models, made it a rule in writing, though not in parliamentary debate, to reject all weak and unnecessary words, and to render his composition as compressed and energetick as he could make it.—On the first view of any complicated question, his opinion was almost always right; but on reflection, his ingenuity sometimes led him astray: hence he was apt to dwell too minutely on some collateral circumstance or subordinate matter; and deceived by his own refinement, and viewing the point under consideration in a great variety of lights, he doubted, hesitated, and perhaps decided erroneously at last. Those therefore who knew him well, always endeavoured to obtain his first thoughts on any question, and rarely consulted him twice on the same subject.

Though in his earlier and more advanced years he was certainly a diligent student,

in the latter part of his life he read very little; and it may be mentioned as an extraordinary circumstance, that at this period one of his few books of *amusement* was Sir James Burrow's Reports of Lord Mansfield's Decisions in the King's Bench.

About the year 1760, it is believed, his acquaintance with Dr. Johnson commenced; with whom he lived in intimacy from that period to the time of Johnson's death. His liberal offers of assistance to that great and excellent man have been recorded by Mr. Boswell and by Johnson himself*; nor should the very favourable opinion which he entertained of Mr. Hamilton be passed over in silence. "To his conversation (says Mr. Boswell) Johnson once paid this high compliment: 'I am very unwilling to be left alone, and therefore I go with my company down the first pair of stairs, in some hopes that they may perhaps

* See Boswell's Life of Johnson, vol. iv. pp. 260, 261, edit. 1807; and Johnson's Letters to Mrs. Thrale, vol. ii. pp. 318, 342.

return again. I go with you, Sir, as far as the street-door *."—To the same purpose may be cited the conclusion of Johnson's letter to him from Lichfield, written about six weeks before his death, which in a few words shews with what pleasure he reflected on their long and intimate friendship, and evinces his high regard and esteem for our author :—" I will not prolong my complaints : I hope still to see you *in a happier hour*, to talk over what we have often talked, or perhaps to find new topicks of merriment, or new incitements to curiosity †."

Mr. Hamilton having early lost his parents, and never having had either wife, brother, or sister, can be viewed in domestick life in one relation only, in which he appeared in a very pleasing light : he was a most kind and indulgent master, and consequently much beloved by his servants. Of his benevolence and charity many instances have been discovered, which he

* Life of Johnson, vol. i. p. 469.

† Ibid. vol. iv. p. 392.

studiously concealed; and some uncommon acts of splendid liberality to particular persons whom he highly esteemed, might be mentioned, on indisputable authority, were it proper or necessary here to enter into such minute details. Indeed, where he professed an attachment, he was a most warm, zealous, and generous friend. Of the kindness and constancy of his disposition in this respect, a stronger proof cannot be given, than his long and unremitting exertions for his friend, Mr. Jephson, the author of several excellent and admired tragedies, and of many other ingenious productions. In the year 1763 he became acquainted with that gentleman, whose liveliness of fancy and uncommon talents rendered him one of the most pleasing companions of those or perhaps any other times; and for about five years they lived together in the greatest and most unreserved intimacy; Mr. Jephson, who, when their acquaintance commenced, was in his twenty-seventh year, usually spending the

summer with Mr. Hamilton, at his house at Hampton-Court, and also giving him much of his company in town during the winter. In 1767 he married one of the daughters of Sir Edward Barry, Baronet, a celebrated physician *, and was obliged to bid a long farewell to his friends in London, (comprising some of the most distinguished characters of those days, for their wit, learning, and various talents,—Dr. Johnson, Mr. Burke, Mr. Charles Townshend, Mr. Garrick, Dr. Goldsmith, Sir Joshua Reynolds, Dr. Burney, &c.) in consequence of having accepted the office of Master of the Horse to Lord Viscount Townshend, then appointed Lord Lieutenant of Ireland; and from that time to Mr. Hamilton's death, a period of near thirty years, they never met but for a few days in 1788; Mr. Jephson in this long interval never having visited London but once. Yet such was the warmth of his

* Author of various medical works, and of a Treatise on the Wines of the Ancients, 4to. 1775.

friend's feelings, and with such constant pleasure did he reflect on the many happy days which they had spent together, that he not only in the first instance obtained for him a permanent provision on the establishment of Ireland *, but in addition to this proof of his regard and esteem, he never ceased, without any kind of solicitation, to watch over his interest with the most lively solicitude; constantly applying in person, in his behalf, to every new Lord Lieutenant, if he were acquainted with him; or, if that were not the case, contriving by some circuitous means to procure Mr. Jephson's re-appointment to the office originally conferred by Lord Townshend: and by these means chiefly he was

* A pension of 300l. a-year; which the Duke of Rutland during his Government, from personal regard and a high admiration of Mr. Jephson's talents, increased to 600l. per annum, for the joint lives of himself and Mrs. Jephson. He survived our author but a few years, dying at his house at Blackrock, near Dublin, of a paralytick disorder, May 31st, 1803, in his sixty-seventh year.

continued for a long series of years, under twelve successive Governors of Ireland, in the same station, which always before had been considered a temporary office.

In the year 1792 Mr. Hamilton's constitution, which never had been very strong, was considerably shaken by a paralytick stroke, not however attended by any alarming or dangerous symptoms; nor, after his recovery from the first attack of that disorder, was his understanding impaired by it; his acuteness of intellect and energy of expression remaining the same as they had ever been, though he was somewhat slower in his articulation, and less disposed to mental exertion than he had been in a preceding period: but by slow degrees this grievous malady so weakened and undermined his frame, that he died at his house in Upper Brook-street, on the 16th of July 1796, in the sixty-eighth year of his age, and was buried on the 22d in the chancel-vault of the church of St. Martin in the Fields.

Mr. Hamilton having never married, on his death his paternal estate devolved on his cousin-german, William Hamilton, of Lincoln's-Inn Fields, Esq.; and in default of his issue will descend to his brother, the reverend and learned Dr. Hamilton, Archdeacon of Colchester, Vicar of St. Martin's in the Fields, and Rector of Hadham, in the county of Herts.

PARLIAMENTARY LOGICK.

DISTINCTION, Amplification, Reflection
as a *nexus*.

What you know, what you do not;
what said, what silent; what clear, what
doubtful, what contradictory.

A manifestation of a thing, or a compound of it, not absolutely the thing itself.

State the same thing different ways:
when you censure, find something to approve; and when you approve, something to censure. Yield a point not material. Admit proposition, and deny inference. Not one thing in twenty proves what it is brought to prove, absolutely, but equivocally.—State the mischiefs of the opposite extreme.*

* *e. g.* If you are charged with profusion in grants to the crown, or in a publick establishment, state the mischiefs of a niggard economy.—Such, it is conceived, is the meaning.

B

Consider before you go,* what ought to be proved, and how probably it will be evaded: and see that the true principle is not removed, and a false one substituted: you know the consequences you want; find out a principle to justify them.

When an argument is brought to prove one thing, shew that it likewise proves another.

Variety in different length, and different strength of the period being put in a different part.

When you produce an instance to illustrate, let the instance be in itself invidious, as well as illustratory.

When it is with you, separate the *fact* from the *argument*; when against you, blend them: It may be right to take great pains to remove an apprehension that is groundless, if the consequence of its prevailing would be very mischievous.

State a fact, or an argument, as a thing

* i. e. to the house.

you do not affect to dwell upon, provided you have something still more material to produce.

Attend to the gradations of facts, or of arguments. The same things differently disposed have a very different effect.

Affect, as you go along, to catch a more exact expression.

Introduce something flattering to the HOUSE.—Settle method first.

Consider the common-places to which a subject is likely to give occasion.

Consider the particular passion you are to touch.

Flattering at the beginning, and affecting at the conclusion.

Lay the thing down, which is to be proved: shew how you prove it, and then point out that it is proved.

We are to consider, how a thing stands by positive statutes; by parliamentary precedents, by the resolves of the house, by opinions of lawyers, statesmen, &c. &c.

Objections may be made to plan, or mode.

4. PARLIAMENTARY LOGICK.

To begin with those things which though they do not belong to the question, are brought to affect the merits of it.—Shew that rules of judging applicable in other cases, are not so in this.

State first, PROOFS for and against, and then PRESUMPTIONS for and against.

See if it [the point in debate] can be put upon a popular ground: every question has some parts better than others; separate those in your mind, and suppress one, and colour the other, as it suits.

To press your own arguments, and answer others, are the two divisions.

Lay down something clear, and uncontrovertible; a maxim, a definition of a common thing. Introduce some third proposition.*

Run a vice into a virtue, and VICE VERSÂ.—Consider thoroughly your strong

* It is not very clear, what is here meant by "a third proposition." A passage, however, in p. 7, may illustrate that before us: "When two men come to different conclusions," &c. Perhaps the meaning is the same in both places.

points, one by one: and always take into consideration the prevailing prejudices.

Detect the false professions that are made.—If a thing is proved *like*, endeavour to shew it must be different, from the different end proposed. And *VICE VERSÂ*.

Invention is employed in finding out a thought: fancy in moulding, and varying it; elocution in clothing it.

State not only what the question is, but what it is not, and what it is mistaken for.

State the question to be proved, and the arguments made use of to prove it. By colouring one, and softening the other, you will gain an advantage.

Observe what has been heard with pleasure, and what with aversion, in the speeches of those who have gone before you.

There can be but three causes why a law is made imperfect; want of power, want of knowledge, and want of inclination, in those who made it.

No subject is without its appropriate adherent circumstances, which distinguish it from every other. A judicious discovery and skilful connection of these is a principal thing.

Happy amplification is, when the subject admits of many beginnings, and several pauses in the period; and the incidents, heaped on one another, gradually ascend to a summit of grandeur. It ennobles what is familiar, aggravates what is wrong, strengthens arguments, and inflames passions. It consists in number. It is a series of thoughts rising one upon another; it is a complete connection of all the particular circumstances inherent in a subject, progressively heightening to a point.

Diffusive eloquence [may be employed], when the mind is to be soothed and brought over, and upon familiar topics, and in narrative.

Think what others you admire would say on the same subject.

Plurals impart magnificence, singulars

strength, to a discourse. But the change from one to the other is pathetick.

Periphrasis sweetens a discourse carried on in propriety of language.

A bold thing ought to be introduced with a preparatory alleviation.

Grandeur requires room. Contraction streightens. But conciseness strengthens and adjusts the sense.

Two things which differ in sort, cannot be compared in degree. They cannot with propriety be said to be equal, superiour, or inferiour.

RULES. Attend to evidence; preserve a constant attention; avoid precipitation, and passion.

When two men come to different conclusions, it is necessary to find out some common principle on which they are agreed.

To avoid mistakes, consult more senses than one. Consider a thing at different times, and in different situations, and enquire how it appears to others.

Men are more apt to amuse themselves by enquiring into the cause of a fact, than to dispute it.

Novelty of a proposition ought not to mislead, by being suffered to surprise.

In comparing two things, we should place the known attributes of one in order, and endeavour to find them out in the other.

To make a consequence be granted from a subject not well known, you must draw it from one that is well known.

When you cannot convince, a heap of comparisons will dazzle.

In examining, the words ought to be reduced to direct, positive, intelligible propositions, and then compare them with one another.

See whether a law is made by fit persons; under fit penalties; as fit means for a fit end.

Never follow others, but examine, yourself.—The greatest credit is acquired by correcting a general error.

Men are apt to deny a principle in one part of their arguments, and yet have recourse to it in another.

Men are apt to leave out something, and to decide upon a part, so that truth and error are blended in the decision.

Take the parts of a question asunder, and omit what is not to the point, and decide on those only which influence the question.

It is an art to make use of what is doubtful, as an unquestionable maxim, and to argue from a single case, as if it were a maxim.

Distinguish between what is clear, and what is fancied.

Consider the nature of the proof, of which a thing is capable. Do not rest on testimony, where testimony has nothing to do, nor with probability when a thing is capable of demonstration.

Never regard common, or uncommon, as a mark of truth or falsehood.

Distinction makes things clear, and division perplexed.

In the wrong, use comprehensive and general, because they are equivocal expressions; and multiply divisions and distinctions without end.

The most shining, though not the most argumentative parts of a speech, are the easiest answered.

If you have no argument to object to, object to a word. Do not assent to any thing on appearances or on slight grounds; and much less on none.

Observe whether ideas linked together, have a connection from their nature, or only by prevailing habit.

When a thing is difficult, reduce it into distinct parts, and put it in plain questions.

Ideas of the question are changed, by changing the terms, or by adding others. Thus the ideas are bent, and varied, and become more serviceable to the purpose. Form a clear idea of the question, independent of words. Keep it through the whole argument steadily in your view. Do not suffer the least change of the terms, either by addition, subtraction, or

substitution; and then you will perceive what is superfluous, what direct to, and what slides by, the question.

The secondary meaning which custom has superadded to many words, should be distinguished from the particular, common, and primary meaning, and their signification as used by a particular author, age, sect, or party.

Where a subject is treated of occasionally, it should be explained by the illustration afforded where it is treated of directly: where in an affecting and persuasive way, by the illustration afforded where it is considered in a doctrinal and instructive one.

Consider the person speaking, the temper of him, and of the hearers to whom the speech is addressed; and the circumstances of time and place, &c.

Free the question from all doubtful terms, and limit it to its special extent; or declare it is to be taken in its more general sense.

When you cannot resist, then wit, fancy, subtlety, and craft, are of service.

Guard every concession you make, by some restriction. } Let it always be an object to watch those of your adversary, to improve them, and turn them to your advantage.

Steal up to your point as gradually as possible.

To oppose the argument, and not the question, or the words, and not the intention, is sophistry.

Consider time, place, manner, end, motive, effects, that must, or that may, follow; persons, things, various aspects, and situations; not only survey, but balance, them: add its powers, its properties, its relations.*

Distinguish what is fixt and inseparable in a thing, from occasional occurrences, mere incidents, and only circumstances.

Agree in a commendation, but deny the inference.

Three rules of probability:—what most

* *i. e.* the powers, properties, and relations of the matter proposed or considered.

agreeable to the nature of things;—what to constant observation, and repeated experience;—what to the attestation of wise and honest men, and to the concurring testimony of multitudes.

When you enquire into the cause of an effect, examine 1st. what effects you have known of a similar nature, and what was the cause of them. 2dly. The possible causes that may produce it, and how many of these are excluded by the nature of the particular case; you will thus find out the probable, and then the certain cause. 3dly. What things preceded such an effect, which will lead you to a probable, not to a certain knowledge of the cause. 4thly. Whether one cause could produce the effect, or if several were necessary: judge of each cause apart; observe their separate effects; then consider them united, and judge how far the powers of each will be hindered or improved by the union, and consider the nature of the subject on which the cause is to operate.

Proofs are apt to be either insufficient, or precarious.

Observe the extremes of each side of the question, and disclaim them.

Distinguish between what is defence, and what apology.

Laws cannot regulate morality, as they do strict right, and particular justice.

In a single instance, you may separate motive from deed; not so in settled habits, and repeated instances.

If, on examining, a thing could answer no other purpose, you may conclude it was done for a particular one.

From the subject matter, you will judge whether a rule that was made in one case, is applicable to another.

Things true in a qualified sense, are often laid down as being so, in an unconditional one.

The mention of a right by Act of Parliament, implies a recognition of it.

Have a method, but conceal it.

It does not follow, that, because two events succeeded one another, the one was the occasion of the other.

Foreign circumstances are sometimes obtruded, and these very circumstances are made the ground of the decision.

It is candid, to allow weight in an objection, but not prudent, unless you can afterwards answer it.

Some argument, some ridicule, some eloquence.

Shew that a thing is right precisely in the extent proposed; and that going further, or falling short, would be prejudicial.

One probable argument is not conclusive: the very nature of a disputable question is where some thing plausible, or probable, may be said on both sides; but probabilities are to be balanced.

State, as it serves,—that your view ought to be enlarged, and circumstances taken in; or thrown out, and your view narrowed.

Class arguments under two heads, to

persuade and to convince; and let the eloquent arise out of the strongest of the argumentative.

It is common to compare proceedings of different times, without considering difference of situation.

Necessity of the means must always be measured by, and proportioned to, necessity of the end.

The conclusion will always follow the worse part. Consider, first, the true distinction and line of argument. Distinguish between what is positive, and what is only deducible; and an inducement from a rule that ought to be decisive. When things are supposed, examine the grounds of supposition. If one part of an argument is believed, and not the rest, it is often worse, than if none had been believed.

A fact may result from a concurrence of traditions, though not resting on the authority of a particular one.

Probability of a thing, (in one view,)

against its being true: i. e. men are less likely to examine into it.

A concurrence of independent and indifferent testimony, having no similarity of motive or design, no common principle to act upon, is the strongest: nothing but notoriety can produce such a concurrence.

Shew, that by the same liberty of guessing, distinct, opposite, and yet equal, probabilities might be formed.

Distinguish between a fact and an opinion grounded upon it.

Reduce every thing to its reason and its principle.

Do not mistake, nor let others mistake, a strong, peculiar circumstance, for a general principle.

Obviate not only the objection stated, but turn aside, and see if there is no other.

Perfection of law consists in its being so framed, that it may govern accidents, not lie at the mercy of them. For a law to owe its utility to a conjuncture, is but little praise.

Point out the difference between forsaking a thing and forsaking the errors of it.

You are bound to give not only an affirmative approbation to a law, but negative, —to do nothing contrary to it.

Men are often right, in denying some thing; but wrong in concluding that what they say, therefore, follows from it.

Men often conclude right from wrong principles.

Distinguish between what was our first inducement to believe, and what confirmed us in it finally.

Periphrasis first; and then sententious, to bind it up at the end.

By a collection of circumstances piece out, or if you cannot do that, drop, what is defective; but state clearly to your own mind what is so.

A principle remains, though an act of parliament may have limited the operation of it.

An epithet of diminution does not alter the principle.

Shew, that the thing asserted, if true, does not affect the question; and then shew that it is false.

To fear that a greater inconvenience will arise from avoiding the less, does not prove that the less is none at all.

A word having two senses, men will lay down the first part of their argument in one of its senses, and the last in the other.

Tradition, consent, antiquity, strong motives of belief.

The doing, or believing a thing in concurrence with another, does not prove that I do, or believe, it, because the other does.

There being no repugnance, is a proof that a thing may be, not that it is; though there being a repugnance is a proof that it cannot be.

Distinguish between what is necessary to the being, and the well-being, of a thing;

That I may err in some case, does not

prove that I may not be certain I am right in others.

Immemorial usage is not inconsistent with statute or common law.

A statute mentioning a thing, is at least a proof of the usage; and, if it be mentioned without censure, of its legality; and making regulations concerning it, another.

A law punishing for not doing a thing, implies that the thing to be done was legal.

An exemption implies, that without it the persons exempted were liable to the burthen.

An Act to authorise a thing, shews, that without it, it was not authorised.

Means of connection or alienation between states:—religion, family alliance, situation, relative state, claims or pretensions, commercial views.

Extent of territory is no proof of power; if it was, Great Britain would be contemptible; for Germany, Russia, Sweden, Poland, France, Spain, Turkey, Denmark, Italy, are

larger,—not so perhaps, if you include the countries Great Britain commands.

If the question will not answer your purpose in a narrow light, cast about, and take in more considerations.

There are cases, where you may be for the principle, and against the thing, when they are involved.

Being led to a thing irresistably so that you must,—or so that you may, follow *.

You may do an act where a law is silent, but not where it is repugnant.

Every obligation ceases, when it becomes impossible.

If you confute the reason on which a thing is pretended to be necessary, you need not enter into the propriety of the thing.

Consider what feature suggests argument, what eloquence, what ridicule.

A plan is the plan of those who adopt

* Perhaps this might have been better expressed, thus; “It is one thing to be led to a thing irresistably so that you must, and another thing to be led to it so that you may, follow.”

it, and give it authority, and not of those who made it; every statement is drawn up by some one, but it is not his act, but the act of theirs who passed it, i. e. of Parliament.

See that nothing is cited imperfectly.

That a thing is to be considered in a large, or a restrained sense, may appear from the matter, and circumstances, though not expressly mentioned.

General speeches are to be understood with limitations.

A thing may be as perfect as it was intended, but not so perfect as to answer every purpose.

Every error has its opposite truth; people find fault, supposing a thing to be what it never was intended to be.

Under pretence of explanation, an entire addition is often made.

A thing may be profitable, though it does not contain all that is necessary.

Assenting to a thing, without obeying it, is nothing.

A perfect summary must not omit any of the necessary parts, though it does the reasons and illustrations on which a thing is grounded :—it is a miniature.

Positions harsh in themselves, may be made otherwise, if led to by a series of preparatory truths.

Illustrate reasoning in one case, by your adversaries' own arguments in reasoning on another ; and shew their inconsistency of conduct, in the same way.

Connecting things which really have, and which yet do not seem to have, any necessary relation, has a great effect. Cast about wide : a comprehensive view marks a great mind, and furnishes materials that surprise.

State what you censure by the soft name of those who would apologise for it.

Find a middle term for what a thing is called by those who are for and against it.

Try to shew an argument weak,—even less strong than it is put ; and then shew

how much more weak it is, aggravated as it was.

Uno absurdo dato, mille sequuntur.

In putting a question to your adversary, let it be the last thing you say.

People take without limitation what is laid down with one.

You may evade an answer to objections by raising other objections.

It is not possible to say, that a thing shall never have a tendency to an end; it is enough, that is not likely, that it has no proper efficacy for that purpose.

In allusions, it is better that the likeness should be strongest in the last particulars enumerated.

Where there is no necessity for doing any thing, no complaint can be justly made that a thing was done from scruples of conscience.

OBLIGARE and LIGARE.—A thing being in itself an evil or a crime, does not prove that cases may not exist, in which it absolutely changes its nature.

Examine whether the justification of a particular thing may not upon the same principle be extended to justify any thing.

If the whole of a question is against you, speak to a part, as if it were the whole.

A thing insignificant in itself may be very important and essential in its consequences.

Consider what sort of proofs make the greatest impressions on men's minds.

Your first care should be, to explain or induce; and under this, state what is confessed; 2dly, to confute or answer objections; 3dly, to prove or confirm.

Do not omit totally, but only throw into the shade the capital circumstances that make against you.

See that the remedy be commensurate to the mischief;—that it be practicable;—that it do not introduce a greater evil, than it excludes; but then, whether the new evil may not be prevented or allayed by new provisions.

First excogitate matter, then words;

and examine the weight of each, and be better at the end than in the beginning; and in the beginning than in the middle; Express fully, but not profusely; and yet there are places in which we should let out all our sail, and others in which we should contract, and take it in. Observe round and clean composition of sentence; sweet falling of the clause; varying an illustration by figures; weight of matter; worth of subject; soundness of argument; life of invention, depth of judgment.

Understand those to whom you are to speak; consider what they will hear with most attention, what is most longed for, what will leave the sweetest memorial of the past, and allusions to things known and pleasing.

It seldom happens that the real reasons for proposing a thing are the avowed reasons: the distinguishing these, makes a fine and brilliant fund of argument.

When it is pretended that a thing is proposed upon a particular motive, endea-

your to point out the manner in which people would proceed, if that had really been the object. X

Shew the reason of a thing *ex absurdo*, & *contrario*.

Take into view not only the measures of the session, but of the same men in other sessions.

Upon every law read a contemporary history and a pamphlet of the time.

Observe, when your opponents admit the principle, how they get off upon the distinction.

First answer the arguments of others, and then press your own.

Never rest satisfied with a thought as it first presents itself, nor with an expression, but still strive to push it farther and farther.

First perceive, then judge, and then reason.

When a fact is proposed, men are more apt to inquire into the causes of it, than to dispute it.

Form a distinct idea of the question, and

disregard the words; thus you will see what is superfluous, what is direct to, and what slides by, the question.

Never consent to any thing without evidence given to your reasoning powers.

When in debate a common principle of agreement is found out, see how near the sentiments of those who differ approach to each other: by that you will find out the precise point of inquiry.

It is easier to confute the argument of one who supports the question, than the question itself.

Acquire a number of propositions, observations, arguments, experiences, reasonings, that you on all occasions may have certain axioms to recur to: then consider whether they are cause, effect, substance, mode, power, or property,—that the mind may be inured to method.

Consider and separate circumstances that are inseparable, from those that are temporary and local.

Demonstrative argument is to be pur-

sued analytically, or through induction. The first is, resolving things into their principles, and from known truths tracing out the unknown; the other is, by a multitude of particulars inferring some general thing in which they all agree.

Misconception is from two causes;—in the first apprehension of things, or in their secondary relation.

The best verbal fallacies are those which consist not in the ambiguity of a single word, but in the ambiguous syntaxis of many put together.

Real fallacies are,—assuming a false principle; stating what is true in a qualified sense, as true in an unconditional one; or ascribing an effect to that which has no efficiency.

INTERPRETATIO LEGUM; — Historica, Etymologica, Analogica, Practica.

Introduce some argument, some ridicule, some eloquence.

State, as may answer the purpose, your argument so narrow as to cripple reason, or so wide as to confound it.

Trope of musick like that of rhetorick, to slide from the close, and deceive the expectation.

There are four intellectual arts; to invent, judge, retain, deliver.

The larger your anticipation, the more compendious your search.

By analysis you resolve a discourse into its principles, and separate its parts, so as to consider them distinctly, and arrive at a more exact knowledge of the whole.

By induction you draw a consequence from several principles first laid down.

To shew the weakness of an argument, strip it of its superfluous ideas, which being blended with those on which the inference depends, seem to shew a connexion where there is none. Then lay the naked ideas in due order, on which the argument depends, and the fallacy will appear.

To provide against ambiguities of speech, inquire of majority, minority, priority, posteriority, identity, diversity, possibility, act, totality, parts, existence, privation, &c.

You may perplex reason by subtlety, or overrule it by imagination.

From the nature of the mind of man, the affirmative or active has more effect than the negative or privative ; so that a few times hitting countervails oftentimes failing.

Reason is disturbed by sophism, by imagination, and by passion.

Affection beholds merely the present ; reason the future and sum of time.

Logick handles reason as it is ; rhetorick as it is planted in people's opinion.

By speaking of events in the order they did not happen, you may change not only the appearance, but the nature of them.

Preface, — Conclusion, — Digression, — Transition, — Excusation.

Always make a picture of something, and let it be more or less coloured, shorter or longer, as the subject requires.

Read Seneca *, he will furnish you with

* In this direction our Author coincides with the incomparable Bishop Hall ; who studied this writer so much, that he has been called the English Seneca.

something brilliantly and happily stated upon most subjects.

It is well often, to begin with a state of facts, or a narrative of what has passed previously to what you are now going to do.

The principles of debate are so few, that it seldom happens, but what you may apply against your adversary in one part of your argument, you are obliged to apply for yourself in another; and to take up the principle you have disclaimed, and to disclaim the principle you have taken up.

There should be a different style of speaking for different arguments, and for different parts of the same argument.

Watch the first setting off, and the manner of stating the question at the outset: *there*, is generally the fraud.

It is usual as an art, to recommend to those who are addressed, some one particular quality, which quality it answers their [the recommenders'] particular purpose, the persons addressed should have. When

this is done, meet it, by stating that there are other qualities full as necessary; and name them.

As people are too apt to admit facts without examining, so they are too apt to deny charges, many of which may safely be admitted, and then either ridiculed or explained away.

By taking only the first and last part of what is said, and passing over all the intermediate links which connect them, an argument is made to appear extremely ridiculous.

If well considered, there is no subject of debate, which does not in some part or other admit of saying what is agreeable to, and what will in a degree reconcile, even those who oppose you.

When a strong argument or a pointed answer occurs to you, do not come to it abruptly and at once. It will have more effect, to state first some reasons, which, though less forcible, you may assert ought to be satisfactory; and then to bind up the

whole, as conclusive and irrefragable, with your strongest argument.

Two things are always to be observed; whether what is said is true in itself, or, being so, is applicable. In general, things are partly true, and partly not; in part applicable, and in part not. You are carefully therefore to distinguish, and to shew, how far a thing is true and applies, and how far not.

In reviewing mischiefs,—before you apply the remedy, you must know the cause; and then distinguish the past, the prevailing, and those which are likely to arise.

In disputing about a law or a custom, search into the original object, and then trace its variations. Account for them, if you cannot certainly, at least probably; and by such conjectures you may contrive to bend the argument to your purpose.

The parts of a speech that admit of observation, are most commonly the epithets. People are not so often wrong in the thing, as in the degree; and that is marked out by epithets.

In speaking and in conversation it has an appearance of sagacity and just observation, when a thing is said for one purpose, to shew that it rather proves another.

If attended to, the most serious parts of an argument admit of a little vivacity; but then it must be short, so as to vary only, but not interrupt the course of the argument.

Collect together as many circumstances as possible: they strengthen and enrich your argument.

Before you speak on a subject, consider in what tone it is to be taken;—whether high and authoritative, or conciliating and humble; or terrifying;—or ludicrously;——or mixed;—or evasively.

If the principal thing in question is strongly against you, consider, what is the thing of the greatest importance, and the most likely to please, which makes for you. —Dwell upon that, and touch the first only slightly.—To pass over entirely what is most material, would be too gross.

You will often find out the true meaning of a law or a regulation, by an examination of the subordinate clauses; which will shew to which of the disputed meanings it is really applicable.

In most arguments people say too much; and as they then must fail in many, or at least some, particulars, you may either confine yourself entirely to those particulars in which they have failed; or at least take notice of them, to prejudice them, and the rest of their argument.

Consider always what materials you can spare from your first argument, and which are calculated best for your reply.

Consider what parts of your argument are most likely to be attacked, and get arguments in addition to defend them.—It may be politick now and then to leave an argument open to attack, that you may defend it

Make an abstract of your arguments at large, that it may be ready upon any incidental preliminary question.

Consider of your conclusion, that you

may be ready to finish, whenever you find it most convenient.

Every particular subject may afford some topick of general declamation.—Consider always what this is, and use it.

The contradiction not only of a man with himself, but with others who argue on the same side, may be shewn.

At once to illustrate and enliven your argument, throw in some allusion to the prevailing topick of conversation out of the House, or of debate in it; to what passed on a former day, or upon another subject on the same day; but take care that the allusion is well chosen, and that it falls in with the reigning humour of the House.

It seldom happens but that some one person in a debate asserts something so extravagant, that it is ridiculous and untenable. You may easily manage, to treat this as the argument of all who have spoken.

Let Government always state its argument upon some clear principle: their fol-

lowers must have something to say, and it is no great matter what.

If any body uses against you (and sometimes even though it should be for you) a quaint and overcharged, an evasive, or, in any light, ridiculous, expression, the ludicrous application of it, and the bringing it back to the House in a new and an absurd view, has a great effect; and this is true, not only in debate, but in conversation.

Answer seriousness with ridicule, and ridiculousness, seriously.

Whenever you represent any thing ludicrously, endeavour always to conclude it with a serious application; not only because seriousness coming after ridicule has more effect, but because it takes off the air of levity, and shews you are not ludicrous for the sake of being so.

When the question you are to support is a bad one, be particularly careful to watch till somebody on the other side has

put their argument * on a wrong and weak ground, (which generally happens,) and then apply what you say, not to the question, but to the argument.

Of all objections, you should be particularly careful to see that your argument is quite free from objections of the very same nature with those which you make to the argument of your adversary. On the other hand, sift every part of the argument against you over and over again, to try if you cannot fix upon your adversary, those very objections he makes to you. If you can shew this to be the case in the same degree, it will have a good effect; if in a greater degree, an admirable one.

When you want to give any thing a ludicrous turn, in speaking drop from the high notes into a low, flat, familiar, conversation-key.

Things of the most weight are often so ill put, and stated in such a very slovenly

* i. e. the argument of the other side or party.

manner, that they have no force. When you observe this, you make them your own by putting them again pointedly, and so as to have an effect. By not speaking till it is late in the debate, you have the advantage of answering all the weak arguments against you, and of collecting all the strong arguments for you.

By predetermining at what time you intend to speak in the debate, or what person you intend to answer, you may easily give a premeditated introduction the air of being taken up upon the occasion.

Watch your opportunity, and speak after a person whose speaking has been tiresome. Watch likewise not only the proper person you are to follow, but the proper stage and time of the debate, at which you are to speak.

When the argument is against you, dwell upon it as shortly as you can with any degree of propriety, and get into a state of the consequences which you apprehend will follow from doing or neglecting

to do the thing recommended : the consequences of every measure being in a degree problematical, you may always suppose that they will be such as it answers the purpose of your argument they should be *.

Observe whether an objection, proper in itself, is not become improper by being made out of time ; or, if it be not totally destroyed, whether it is not weakened ; and this may happen by its being made too soon as well as too late.

Observe the general drift of the question, and the particular drift of each man's argument. Consider the impression he intends to convey, and the means and arguments he uses for that purpose.

In the manner of debating one question, you may often lay a foundation that will justify the conduct you intend to hold in

* An observation somewhat similar occurs, it is believed, in another part of this treatise ; and a few other repetitions may be elsewhere found : but seldom without advantage, the precept given being generally placed in a new light.

another ; and then, when that other comes on, you may appeal to the conduct you held in the former. This method of having, while you debate one question, an eye to another, it is right to pursue, and to detect in others.

Consider in debating any measure, whether the propriety of your own conduct may not be defended or attacked by what you did on another occasion ; and consider, with regard to your opponent, whether his may not be defended or attacked upon the same principle.

It has often a finer effect in debate, to insinuate than to assert a thing, and especially in matters of reproach and censure ; in which cases it is attended with this advantage, that you are less liable to an attack.

When you attack any man or body of men, endeavour always to find something to commend * : it not only reconciles every indifferent person, but even the very per-

* See before, p. 1.

sons attacked; and gives an air of candour and an additional weight to what you say against them.

When a doubt arises as to the force of a word, explain it by some one other, or by many other, which appear to be, but are not, perfectly synonymous.

Introduce into some one part of your speech something in regard to the orders of Parliament, as they affect the question: it gives a variety, and shews knowledge.

Preconsider what you mean should be the finest part of your speech, and in speaking connect it with what has incidentally fallen in debate; and, when you come to that premeditated and finest part, hesitate and appear to boggle;—catch at some expression that shall fall short of your idea, and then seem at last to hit upon the true thing. This has always an extraordinary effect, and gives the air of extempore genius to what you say.

Where the nature of the question distresses, or your personal situation throws

you into personal difficulties, you should contrive not to say any thing positively, but to talk in general, and at large; and it is a great art, to convey an impression without being tied down by positive words.

Come as immediately as you can to the substance of the question: avoid in general all introduction or preface, and never make a lawyer-like division of your speech into several heads. Nothing disgusts a popular assembly more than being apprised of your intention to speak long:—even when you design it, declare the contrary, that they may be drawn on by degrees; and if you perceive that you have got into length, and that those who hear you begin to be weary, make a break in your speech, and apologise for it: this apology will have the effect of inducing them to lend their attention a little longer.

Make a distinct review of the arguments you intend to use in support of the question, and of those which your adversaries will probably use against it; and com-

pare them:—by this means you will be able to strengthen the one, and to refute the other.

Consider not only whether the argument is for or against your side of the question, but whether the House of Commons' topics are for or against you.

REDUCTIO AD ABSURDUM is the best style of argument for a popular assembly. Consider therefore not only the mere weakness of your adversary's argument, but the absurdities of which it is necessarily productive.

Take a comprehensive view of your subject: consider all the possible lights in which it may be placed. This extensive view will make all your ideas about it clear and methodical; and most subjects will upon trial be found much narrower than they at first appear to be.

Never forget to be in some part or other, flattering, and in all respectful, to the House.

Consider, before you come to the ques-

tion, the grounds on which your adversary probably will state it : mark the grounds of his argument, the line on which he takes it : shew the difficulties he avoids by his method of stating it, and those he must have to encounter, if he stated it truly.

Consider, whether you cannot put the question you support on such a ground as will avoid most of the difficulties run into by others.

It commonly happens, that most of the advantages gained over one in argument arise from the argument being pushed a point or two further than it will bear : when more moderately put, it would answer all the purposes of mere argument almost as well, but not the purpose of shewing your adversary's absurdity.

It will sometimes have a good effect to take notice how often the question has changed in the course of a debate, and to represent those changes ludicrously.

Fix steadily and precisely in your own mind what is the state of the question, or

at least what you wish to have it understood to be. The arguments you must then wish to answer, will fall under one of these two heads ;—“ as not being true,” or, if they are true, “ as not being home and applicable to the question.”

The concessions of an able man in argument are often the subtlest parts of it : driven to difficulty, he makes a concession that is a little to his disadvantage, to avoid being obliged to make one which is a great deal so. This it may be artifice to do, yourself ; but it has a great effect when you detect its being done by others.

Neither in debate or conversation rest satisfied with the first view of a thing ; but, before you utter it, always give it a second consideration.

When the person, or the conduct you wish to defend, is so absolutely indefensible, that it would be quite ridiculous to defend it, you have but one thing left ; which is, to extenuate, and shew that though it arose from error or a wrong motive, yet the error is not so great as is alleged, nor

was the motive that to which it is ascribed.

It sometimes happens, that things are stated through mistake untruly, when they would have answered the purpose they were brought for, better, by being put fairly. It has a good effect to shew this; and then to shew that they have no weight either in one way or the other.

A thing proposed may be more or less exceptionable, from the reasons which are brought to justify it; and a thing indifferent may be even dangerous, on account of the principle on which it is defended. A measure is temporary, and the mischief may cease with the measure itself; but a principle remains, to be appealed to on all future occasions.

Sooth, flatter, and alarm.

Make a number of allusions to the principles, the sayings, and the conduct, of your adversaries.

The application of a quaint figure or a well-turned sentence will throw any thing into ridicule.

Either overrate and aggravate what is asserted against you, and then you will be able to shew that it is not true; or under-rate it, and then admit it in a degree, and with an apology.

When a principle is laid down that does not apply, do not rest satisfied with saying or even with shewing that it does not, without adding, that the principle, to make it apply, should be so and so. The shewing what it is, and what it is not, are still further explained by shewing what it ought to be.

When any thing too strong to be stated plainly, is stated hypothetically, put it as it is meant to be understood; and shew how unfair it is to insinuate what you could not with safety assert.

When any thing is stated metaphorically, strip it of its magnificent dress, and put it in plain words. This will always make it easier answered, and generally throws an air of ridicule over it.

It is worth considering, whether your

argument leads you to support a general principle, or to maintain that it ought to be departed from in the particular instance before you. In the first case, you will take the plain broad road of general declamation, and shew the necessity of adhering to, and specify particular instances of mischief which have arisen by departing from, general principles:—in the second, you will shew by particular instances that every principle has been departed from, by the best men in the best of times; and this is the reason, why one hears of so many GENERAL principles, and of scarce any such thing as a UNIVERSAL principle.

The distribution of a subject must in a degree depend upon the nature of it.

The method pursued by Hurd in his *LETTERS ON CHIVALRY*, is a good method for enquiring into the causes, rise, and progress of any Law, Manners, Custom, or Policy whatever.

A splendour of expression should be studied on great subjects, and a native simplicity on affecting ones.

It is easy by a sagacious premeditation to foresee and be prepared for things which will appear to every one to be taken up on the spot. You may guess on what you yourself will probably be attacked, and by whom ; and therefore how you are to be defended, and where they are vulnerable.— Besides; no great question is ever discussed without a number of little preliminary debates ; from which, and from conversation, you may collect almost the whole of what will be said when it is finally considered.

Prepare little epitomes on subjects that are to be discussed, which may be fit for such lesser incidental debates as always arise upon them *.

Keep the several features † of your argument which you prepare, distinct and separate, and so that they may not have any dependence upon one another: by this means you will be able to take up only

* See p. 36,—“ Make an abstract,” &c.

† Perhaps “members” would have been here a more proper term.

such as the debate requires, and leave the rest without embarrassment.

Three methods of expression, to give variety. First, plain, but clear, and strong; secondly, expressions by which you illustrate the thing before you by an allusion to some other thing; thirdly, familiar expressions and common phrases, which being natural, and not vulgar, give an ease and simplicity to what you say. In these phrases Swift abounds.

Crassus, in the Dialogue *de Oratore*, lays it down as a fundamental rule, that a speaker should always appear to be distressed and under anxiety, at his setting out.

If your opponents have ever been in Government, consider all the measures they took, the laws they passed, the votes and the journals of their time; from these you will probably collect many arguments *ad hominem*.

Five parts in eloquence: "to find out what to say;" "to range it, not only in order, but with judgment;" "to clothe and

embellish it by expression ;” “ to imprint it in the memory ;” “ to deliver it gracefully and with dignity.”

Before you enter on the main subject, endeavour to gain the affection of your hearers ; then state the argument :—support it,—confute what has been advanced against it,—at the close, magnify what makes for you, and extenuate what makes against you.

Purity of diction, first ; next, ease and clearness.

Habituate yourself both in reading and hearing, not to rest satisfied with comprehending the meaning of the author or speaker, but criticise and examine into the justice of it.

When it answers the purpose of an argument to inculcate any one principle, people are apt to push it to the exclusion of all the rest : whereas all principles have their bounds, and, restrained properly, coincide, instead of interfering, with one another.

Keep a particular void in your argument, to answer any thing personal that may be said, so that it may not embarrass the other parts of what you have to say.

When attacked, recur immediately to a consideration of the character, of the past conduct and present situation, of the person attacking ; this has always a better effect than a defence of yourself, which nevertheless may often be necessary.

In all personalities prefer ridicule to a direct angry attack.

Eloquence ought to be enriched and diversified by an allusion to a vast number of different things.

When there is a doubt as to the meaning of any thing, go yourself to the original materials, and do not trust to any report from others who pretend to have examined them.

It is always suspicious, when an hypothesis is first formed, and the arguments are afterwards found out to support it. It

should be like experimental philosophy, the *result* of what has offered itself.

It is not true that the same causes will have the same effect, unless they have the same materials to operate upon.

Endeavour always to make a great many breaks in your period, and keep the sense incomplete till the very close of it.

Distinguish between the defects which are in the form of a thing, and in the administration of it.

Upon every argument, consider the misrepresentation which your opponents will probably make of it.

When you propose to regulate or restrain any thing, they who oppose you will argue, (and it is artful so to do,) as if you meant to annihilate it.

When you get a fact and a particular instance, turn it into a general principle.

When you know the thing you want to support, search for a principle that will support it.

Review your speech, lastly, in this single

light,—to see whether the same materials will not have a better effect merely by a different arrangement.

Endeavour to introduce a moral sentiment, where it is least expected. Pope observes, that virtue thus put upon us by surprise has a good effect.

It generally happens, that they who oppose your proposition as pernicious, try in some part of their argument to prove likewise that it will be ineffectual ; which proves at the same time that it cannot be pernicious.

Endeavour to draw a ludicrous resemblance between those with whom it is most probable you may have a personal altercation, and some part of the subject which is immediately before you.

Connect ludicrously with part of the subject before you, such anecdotes of the day as it may answer your purpose to ridicule.

Independent of the particular arguments made use of by your adversary, consider the general character of his speech ;—whe-

ther it is in a high or a low tone ; whether it affects anger or moderation ; or, whether the different parts of it have not different characters ; and draw from those circumstances such arguments as answer your purpose.

If you have an unpopular point to support, touch, in your way to it, as many popular and acceptable topicks as you can with any propriety introduce.

Endeavour always to find a precedent somewhat stronger than the thing you are going to propose.

If an adversary uses a quaint out-of-the-way allusion, it has a great effect to turn it against him ; which is to be done by considering immediately what are the other properties of the thing to which he alludes, and of which he has not taken notice.

Observe a method in your argument, but cautiously avoid an affected regularity.

Mistatements are commonly made by mistating the general purport of an adversary's speech, rather than a particular asser-

tion; that being more liable to observation.

Consider, whether a thing differs in its principles and likewise in its circumstances, or only in one of the two.

You will be perspicuous, if you finish one thing before you begin another.

Where the subject makes it necessary that low and vulgar terms should be used, the order in which the words are put will help greatly to take off from the vulgarity.

Signs and probabilities are rhetorical propositions.

For the sake of variety, not only make your periods of different length, but put the strength in different parts; speak things likewise in different characters, viz. declaring, doubting, interrogating; beseeching; taking for granted; expressing figuratively; marking by action; narrating, denying, reproaching, recapitulating, quoting, apologizing, moralising, calculating, establishing principles: conjecturing, ridiculing, panegyricizing, inferring,

relinquishing, modestly deferring; speaking in the character of a third person, in your different capacities of member, or judge, or legislator; old, young, in, out of office; or as a subject.

Of all forms amplification is the fittest to demonstrate. It takes the action for granted, and has only to add grandeur and beauty to it. Whether a man acted alone, or the first, or with many, or was chief in action; if he observed time or season; or did the same thing often; are circumstances that amplify.

One should take care not to say such things as will lay one open to a reasoner, or even to an orator.

A crime may be measured by the mischief which is the consequence of it, or by the number of ties the criminal has broken through.

The taking notice of the particular stage of the debate, or of the very particular turn it has taken, makes in general a good opening.

Though you should not dwell tiresomely upon a number of minute particulars, yet without some degree of particularity a speech is pointless and ineffectual.

It has generally a good effect, to tell your adversary what he should have shewn, in order to make out the thing he is aiming at.

The giving a very unexpected turn to any thing, has a great effect in debate.

Revolve in your own mind, separately and detached from each other, the argumentative and eloquent parts of what you are to say.

Independent of what you are to say as regarding the subject, you should always have in view, as part of your speech, an application to the several parties in the House, by shewing how they themselves have formerly acted; how what they are doing contradicts the principles they profess, or would be disclaimed by the characters they admire. This art has always a better effect, connected with praise, than reproach.

When anybody attempts to fix upon you a contradiction, either in conduct or in argument, immediately recur to a distinction.

Most of the things asserted in argument are true in themselves, but not true in the sense in which they are used: to explain this at large, is one of the finest fields of argument.

If you are to speak often on a subject, consider the various ways in which it may be viewed, and the new light in which it has presented itself, since it was first started.

The bringing three or four things which lie at a distance, and seem to have no relation to one another, all to bear to a point, has a wonderful effect. The doing this must be the effect rather of genius than of rule; but the best rule is, to consider the *principles* on which things turn, for things very unlike in their appearances are often the same in principle.

It is easy to foresee and to be prepared to answer, the use and application that

will be made of any measure proposed or taken.

Attend to those who speak before you on the same side; their manner of considering the subject will suggest new argument to you; and the slovenly manner in which they state things will give you an opportunity of stating them more fully and masterly.

Fortify your mind against every impression from what your adversary says; watch every syllable; and admit not the force of it till after repeated examination.

Observe the proposition laid down at the outset of the argument, and see that is not changed: it scarce ever happens that a speaker abides uniformly through the whole of his speech by the thing he first set out with.

There is no subject so particular and out of the way, that, by reading over catalogues, you may not find a book that will furnish you with materials.

The rectitude of a thing may appear

from the manner in which it has been opposed, as well as from that in which it has been supported.

Consider how you may give the air of an answer, to what you have premeditated. If this be done at the beginning of your speech, you may soon fall naturally into what you have before thought of.

No subject is so unpopular, that upon a careful review you may not find a popular ground to put it upon.

Arrange and collect the number of things you hear said upon any subject, out of doors: —they will most of them be infallibly said in debate. Improve those that are for you, and prepare answers to those that are against you.

As there is always a point of light in which a subject may be put to advantage, so there is always another point of light in which it may be shewn differently.

Take down the heads of all the weak things said in debate, and give answers to

them ; and let the strong things look after themselves.

Manage to bring your principal argument or arguments into view as often as you can, directly and obliquely.

If you find ridicule used in order to confound, say you will separate the ridicule and the argument, and do so : by this, they will both appear trifling.

If a good opportunity offers, shew how all those who say one thing, would say another in different situations, and represent their different characters and manners of speaking.

It often happens that a subject frivolous in itself accidentally gives rise to a very serious debate. It has a good effect to apply all the calamities foretold on the serious and incidental debate to the original and trifling one.

It often happens that a trifling question is supported on principles very alarming.

Most propositions fail in the minor, when

argument comes to be particular. That is the best link at which you may evade, and it is likewise the true place for shewing ability.

When the question is against you, you venture less by answering the weak inconclusive things said by others, than by advancing any thing of your own.

If you cannot perplex the argument at the outset, contrive to change the question by introducing something that is similar to it, in the progress.

Review the arguments for and against the question in this light: there are some on each side both good and bad; select these, the one to be used, the other to be answered.

As a plan for a reply, abuse and under-value (but with a degree of caution) something which you are sure will be taken notice of, and which you will be prepared to defend.

Watch the variety and different metaphors which people sometimes use; they

may be made very ridiculous, and you will know those who are the most apt to speak in this stile.

There are seven adjuncts, popularly called circumstances : *QUIS, QUID, UBI, QUIBUS AUXILIIS, CUR, QUOMODO, QUANDO.*

Consider, if a word has not different significations, and if you may not use it advantageously, sometimes in one sense and sometimes in another ; and watch this artifice in others.

To define, is to state the several simple ideas of which a compound idea consists, in order to explain it. To make a definition, state what the thing defined has in common with other things, and what it has peculiar to itself.

It may be often material in argument, to consider if a word may not have one meaning annexed to it in the common usage of the language, and another special sense in which it is used by a particular author upon a particular occasion, or in a particular discourse.

Another idea of a definition is, an enu-

meration of the principal attributes of a thing: in this you may enumerate those which answer your purpose, and suppress those which do not.

The two common defects of a definition are, that it does not take in the whole, or that it is not peculiar to the thing defined; —*neque omni, neque soli*.

A philosopher defines dryly, by genus and difference; an orator's definition is rather a description. Of these there are five sorts: the first, that drawn from the parts of which a thing consists; the second, from the effects it produces; the third, from shewing what a thing is not; the fourth, from its adjuncts; the fifth, from similes and metaphors.

It is an artifice to be used, (but if used by others to be detected,) to begin some personality, or to throw in something that may bring on a personal altercation, and draw off the attention of the House from the main point.

It seldom happens but that on questions

stated to be the most serious and affecting, some one talks so very ludicrously as to shew they * do not think it of any consequence at all.

Every diffuse and complicated question may be examined on different principles and by different methods ; and truth may be found one way, that may not be attained by the other.

In the support of every principle and every measure, there will be some excellencies and some defects ; and their comparative merit, not their perfection, is the real question.

When your arguments grow numerous, it will be particularly necessary, and even when they are not, it may be useful, to see what are general reflections, that may be premised as affecting the whole question,

* The author certainly should have written—" he does," &c. If so very acute and ingenious a man could fall into this kind of colloquial inaccuracy, can any one wonder that Shakspeare should be sometimes guilty of similar improprieties ?

and what are particular and appropriated to a part.

Let your state of facts be elegant and simple, and your reasoning upon them be strong and forcible.

When you are charged with stating a thing too strongly, or if it be premised that it is to be hoped you will not state it so and so, then state your idea of the manner in which you suppose they wish you to state it: this being overdone will have a very ludicrous effect.

Never let a thing rest in generals, if you can possibly bring it home to particulars; and when you say a thing was done so and so, specify in what instances.

On any constitutional question, consult the Statute-Book in Charles the First's time, after the Restoration, after the Revolution, and the settlement of the Crown in the time of Queen Anne; for there can scarce be any great question, on which there is not some law in one of these places.

Let what begins be introductory to what follows, and always make what follows enforce and illustrate what went before.

First an expression familiar and with periphrasis ; then an elevated and a pointed one.

Ask yourself on all controverted questions, whether it is on the general principle or the particular distinction.

When you admire any thing yourself, or observe any thing to be admired by others, examine it thoroughly, and satisfy yourself what is the thing which occasions that admiration ; whether in speaking, writing, behaviour, or conduct. It is the knowledge of the principle alone, that will enable you to imitate it truly.

For the principles and management of the passions, see Aristotle's RHETORICK.

Eloquence depends upon conceiving in the mind, expressing in words, and CONFORMING TO THE AUDITORY ; which last depends on the vast variety of times, of persons, of places, and of things.

Rhetorick is the power or faculty to consider in every subject what is therein contained proper to persuade.

Reason is to be convinced by three ways; the character of the speaker, the disposition of the hearer, and the mere force of demonstration.

The senator determines about things to come, the judge on things past; but a complete argument should have a part on things past, and a part on things to come.

Dividing a thing into a great many parts, and separating and stating distinctly each particular circumstance, makes it appear greater: thus, the opportunity, the age, the time, the place, and the force.

While we discourse of some things, we may explain others which have a connection with the main question, and which arise out of it: this gives variety to our argument, and yet does not take off the force of it.

Nothing has a greater effect in an ora-

tion, than a moral sentiment arising out of the subject before you.

It is material to the gaining belief, to shew that you have an interest in common with those you speak *to*, and contrary to what you speak *for*.

Anger is a distaste arising from undeserved contempt of yourselves or friends : to move anger therefore, you must shew this to have been the case.

To appease, you must shew that those with whom they whom you address are angry, are to be *feared*,—*reverenced*,—have *well deserved*,—have *offended unwillingly*,—or are *sorry* for what they have done.

A sentence to which the cause and the wherefore is added, is an enthymem.

To speak universally that which is not universal, is chiefly proper for lamentation or amplification.

It pleases an audience, to speak *generally* that which applies to their *present* feelings: we must consider therefore, how they stand

affected. These sentences, containing *general* truths, fill the oration with morality.

Discourse not of all things that are probable ; but from things that are certain and fixed.

The nearer things are to the subject, the more *proper* and less common. Common things are those which a subject *has*, but which *other* subjects *have* likewise ; *proper*, are those which are peculiar to it and to it alone : these have real weight ; and the first and most important thing to consider in a subject is, what are the particulars in which it differs from all other subjects.

Things couched close are most apparent to the auditor.

Of all syllogisms those are most troublesome, which do not appear clear at the beginning.

It is a fallacy, to amplify, before any demonstration is given of the matter.

Circumlocution is useful, if you wish to deceive, and not otherwise.

If you want to be prolix, make use of the *reason* of the thing, instead of the thing; if not, name the *thing*. By the reason of the thing is meant, a description of its properties.

The common parts of an oration are, proem, proposition, proof, and epilogue.

The use of the proem is, to state the end of the oration; (if that be short, and known, a proem is useless;) or else to remove calumny, derived from him who speaks, from the hearer, from the matter, or the adversary.

He who defends, must remove all impediments at the *beginning*. He who accuses, must aggravate at the *end*, that the hearers may the better remember it.

Hearers are rendered attentive by *great* things, by proper things, by wonderful, and pleasant things.

In defence, the controversy lies only thus: whether the thing charged be not done; be not hurtful; or not unjust; or not so much so as represented.

Peroration is to prepare the reader to have a good opinion of us, a bad one of our adversary; to amplify, or extenuate, to stir up the affections, and to rub up the memory.

Persuasion is an exhortation to elect, speak, or act, by shewing that what the orator exhorts is just, legal, profitable, honest, delightful, or easily practicable.—Dis-suasion effects its purpose by shewing the contrary.

Profitable is the preserving present, and acquiring absent, benefits; or warding off present or threatened inconveniences.

Against Alterations, allege, how unjust it is to alter the settled Constitution: For it,—that to add to what is already, is not to abrogate, but to adorn, the settled Constitution.

Against a League,—shew that it is needless, and particularly at this time; that the people with whom it is proposed to be made are not to be trusted; that they have ever borne us a grudge; that they live at

a distance, and are incapable of assisting us in time.

For War ;—now, from circumstances, is the time to take revenge on those who have injured us ;—to assist our allies unjustly invaded ;—for the common benefit ;—for honour ;—to enrich ourselves. Comprehend as many of these causes as you can ; shew that all those things which render war successful appear to favour us, as good fortune, multitude of people, riches, prudent generals, stout associates, opportunity of strong holds ; extenuating our adversaries' strength, and extolling our own.

Against War ; find out reasons to demonstrate that the injuries that induce us are very slight, or none ; that war cannot be advantageous. State the calamities generally attending it, particularly now ; shew that all the advantages are on the enemy's side.

For discontinuing a fortunate war : it may be urged, that no wise person stays till

ill success happens, but makes peace while they * are victorious. State the many and great changes that happen in war, now particularly probable.

For discontinuing an unfortunate war, shew not only what we may, but what we actually have suffered ; better to part with a small portion, than hazard the whole :—the enemy desires what is just :—a quarrel with our allies may ensue, if we do not make peace :—they are weary of the war, — afraid of our adversaries, — disagree amongst themselves.

If you wish either to enforce or explain away what a person has said, enter into a consideration of the views with which, and the circumstances in which, he said it.

It often happens, that a person presumes and takes for granted a great deal, to make out his point, and yet it does not do it.

Animation, says Quintilian, is the first property of eloquence.

* See p. 68, n.

The first instance of parts is memory, the next imitation.

The enthymema is the syllogism of rhetoric.

The knowing how to state a case, is as useful a part as any in speaking.—A speaker should be prepared with general topics.

A narrative ought not to be bald and jejune, or too much flourished.

Something should, if possible, be introduced at the beginning, to conciliate the affections of the audience.

It is the interest of a speaker always to appear modest.

Rhetorick would be a very easy thing, if it could be contained in a rule; but contrivance is a main consideration in an orator, who must vary according to causes, conjunctures, occasions, and relations.

It is often possible to state things with such a studied ambiguity, as may admit not only of different, but of almost opposite interpretations.

In stating, be neat and perspicuous; in

argument, pointed and forcible ; in reflections, just and elegant ; in eloquence, vehement and pathetick.

In order to attack what others have said, or to defend what you have said, either omit a word or add one ; or else change one word for another, a little softer or stronger, as may suit your purpose.

The safest and most artful ambiguities are those which result from the turn of the whole sentence, and not from a particular word *.

The original meaning of a word, the correct meaning as now understood, the popular acceptation, [all these we may have occasion to consider.]

To make an involved period, you must seize and explain something that is incidental, and then return to the main object of the period.

Rhetorick has five parts ; invention, disposition, elocution, memory, and delivery.

* See before, p. 57, at bottom.

In rhetoric, you must either praise or dispraise, persuade or dissuade, attack or repel.

These contain the arts of explaining, exaggerating, or diminishing; conciliating, soothing, or rousing the passions.

Three things are to be done,—to instruct, to move, and to delight; and where the passions can be moved, it has great effect.

It should always be considered whether a question is *general* or *particular*; one of which it must be. It is not enough in a particular question to handle the general one; and yet without handling the general one you cannot get at the particular.—The state of the case may be three-fold:—Whether any thing happened? what happened? and of what nature the thing that happened, was?

For subjects of personal praise, vide p. 168 of Quintilian; and p. 171, for dispraise.

In reproach and censure, consider well, and chime in with the favourite sentiments of your audience: he always will be well

heard; who flatters the opinions of his judge.

To compare justly, and to conclude justly, is to reason solidly.

The common passions to be touched are, resentment, fears, wishes, hopes, and hatred.

In persuading, or dissuading, three things are to be considered; the subject of deliberation, the character of those who deliberate, and that of the person who speaks.

The business of persuasion lies wholly in comparing one circumstance with another.

The consideration of utility may introduce a consideration of the juncture, of the place, of the persons, of the manner, and of the proportions: and all these, together with the circumstances of the parties, ought to be considered, both in the precedent, and in the application of it.

The persuasive parts of eloquence should be embellished by sentiments, but not overloaded by words.

Attacking and repelling are managed by

an introduction, by narrative, by evidence in support of what you are to establish, by refutation of what others advance, by a peroration. To these may be added digression, which ought never quite to lose sight of the question.

A speaker is in the first instance to consider the nature of his cause; on what point it turns; where he shall be pinched; what he is to establish, and what refute; (this should be laid down distinctly :) then to consider how the case is to be stated. To do this to advantage, the whole force and extent of it must be known. Lastly, he is to consider, how he is to win over the affections of the judges; into what disposition they are to be worked;—whether of severity, gentleness, resentment, calmness, inflexibility, or clemency.

Some think the introduction should be last composed. Certainly, before he begins, all his materials ought to be collected, that he may know exactly the purpose which each is to serve.

We are first to consider whether we are to deny, or to justify, or to distinguish the matter discussed under another appellation, which will alter its nature ; or to object to some informality.

There are certain general topics, to which each question leads naturally : they ought to be adverted to.

Consider what is the point to be tried, the means of defence, and the principle upon which the cause is to be adjudged.

He who is master of the point in controversy, of the merits in question, of the strength of his antagonist's arguments, and of his own, and where the great stress of the cause must lie, is master of every thing.

The object of a proemium is to render the hearer kind, attentive, and tractable.

As to kindness, we raise it from persons or the nature of the cause.

If a person is powerful, he is to be made obnoxious ; if helpless, contemptible ; if wicked, detestable.

We are to praise the judge by con-

necting his merits with the interest of the cause.

Consider the disposition of your judges, that you may avail yourself of them, if with you, and mollify them, if against you.

If the cause itself furnishes matter for conciliating the favour of the judges, those parts are to be selected for the introduction.

In the introduction you are to touch the passions lightly ; in the *peroration* as strong as possible.

There is an easy manner of speaking; which, though common, is prepossessing, and ought not to be neglected.

Connect, if you possibly can, the interests of your cause with that of your judges, as you may then touch every passion.

Nothing is so fallible as the evidence of any one sense; check it therefore by others.

Consider the matter first, and then the manner of ornamenting it.

If you cannot answer the thing as your

adversary states it, see how small an alteration in that statement will enable you to answer it.

When it answers your purpose, shew the precise points in which all agree, and then recite those only in which you differ. If it suits you, omit any one of these.

Endeavour to see through the whole line and extent of your performance, before you enter upon it.

Try if you cannot aggravate the thing with which you charge others, or soften that with which they charge you, by some change in the expression: if it cannot be done by any one word, do it by a circumlocution.

Adjust the interval of your speech, in which you mean to answer what has fallen from others; and enliven what you have premeditated by words and allusions that drop from others.

It may be sometimes a good way to begin by stating the several charges to which you have been liable, for maintaining a particu-

lar question: these you may easily pre-conceive.

An argument cannot be put too forcibly; a reflection upon any one, or an impression, cannot be conveyed too delicately.

If your cause is too bad, call in aid the party: if the party is bad, call in aid the cause: if neither is good, wound the opponent.

If a point cannot be denied, let it be extenuated: "it is not applicable to the present purpose;" "repentance may atone for it;" "it has been already sufficiently punished."

You may admit a small thing against you, to gain credit in what is more essential.

There are two sources of argument; one, such things as have not been said; the other, to put more forcibly those which have: if you find you are deficient in the first, be particularly attentive to the last.

In stating any thing, drop some of the circumstances that are most invidious, but

retain enough not to make the fallacy obvious : add likewise others, which if they do not actually, might possibly belong to it.

Have a particular knowledge of all the circumstances regarding the subject, and a general knowledge of all the subjects relating to and connected with it.

Shew your knowledge general and particular : your talent for argument, by bringing things from a distance to bear on your point ; your talent for distinguishing, by separating things that seem like ; your pathetick, by the choice of what is most affecting, and arising out of the subject.

If a principle is laid down, which you want to contest, and you cannot deny it absolutely, admit it only *sub modo*, and with qualifications ; or shew, that though true, it is only so when applied to other things.

Take nothing for granted as to facts : examine each, however generally received they may be, or universally admitted ; and take no argument for granted : however strongly asserted, sift and canvas it.

It scarce ever happens, that a person pursues the method he undertakes to pursue, and avoids what he undertakes to avoid, in the outset of his argument.

Consider what has fallen in with the prejudices of those to whom you write or speak, so that you may take such matters for granted, or enlarge upon them.

Before you form your argument, ask yourself, and state clearly, what it is you mean to prove, and then the means you are to make use of for that purpose: then the objections which will probably be raised, and the means of obviating them.

Separate in your own mind such arguments as are directly appropriated to the question, from others of a more general nature.

One source of argument arises from the thing that is said, not being proper at the stage of the debate in which it is said.

It is not a bad introduction, to state the points in which every body agrees, and then to shew how little there is in dispute.

Consider, when any conduct is objected to, what probably would have been said, if a different or an opposite conduct had been pursued.

Consider, what circumstances there are in the measure before you, that admit of a ludicrous application by being applied to persons and things, &c.

It is sometimes well, to observe the different turns a debate has taken : this often makes a good beginning.

Divide your speech into distinct parts.

Consider well, whether you cannot treat a subject in a different and a better way than any other person has done.

Observe any thing that is overstrained.

It has a good effect to characterize things by a spirited and strongly apposite epithet.

Observe how many things people take for granted as facts, and give themselves credit for as principles, without reason.

Begin with an EXORDIUM to gain the good opinion and affections of the audience.

State the point in question clearly, briefly, but artfully; then produce your proofs; then your arguments; then should follow your *peroratio*; in which recapitulate succinctly what is for your purpose. Enforce the strong parts and slip over the weak, and then make your push at the passions of your audience;—at their pride, pity, or ambition, or their prevailing passions, whatever they may be: get *them* on your side, and you need not fear their reason.

Origin,—certainty,—and extent, of our knowledge. — Distinguish each; so, the grounds of belief, opinion, and assent.

Mark the difference between opinion and knowledge.

Reasoning is deducing unknown truths from principles and propositions already known.

Perceive, compare, conclude.

Ask yourself always, whether the principle laid down by you or by others, does not go much further than is wished.

Consider in every dispute, whether the

question is not a question of comparison ; and then whether the disputants compare the same objects together, or things widely different.

Draw out your argument by way of analysis, and examine by it the argument of others.

Ten predicaments :—substantia, qualitas, quantitas, relatio, actio, passio, quando, ubi, situs, habitus.

Your argument should not have the formality of a syllogism, but you should have a sort of syllogistick plan.

Consider the conclusion you would prove; the mediums by which you would prove it; and to which part of the argument, major, minor, or conclusion, this or that particular part of the discourse relates.

By reducing an argument to a syllogism, we see its parts in miniature ; what properly belongs to it, and what is put in merely for pomp and shew.

In reasoning upon any subject, your argument must be drawn from its more ge-

neral or particular nature; from something peculiar to the individual, either as essentially united to it, or accidentally connected with it, or resulting from it.

It is necessary to *define* justly; to *divide* a subject regularly; to distinguish the several parts of a proposition; to make a syllogism.

It is necessary sometimes, not only to handle a subject, but to make one; and, spider-like, to spin out of yourself.

In viewing a subject, consider not only the thing itself, but look likewise to the right and left of it, and by that means associate whatever has a necessary or natural relation with it.

First put together those ideas which have *any* connection, and next in the order and nearness in which they have that connection with the subject.

Association of ideas from resemblance, and from contrariety. The mention of an event brings into our view another event,

similar in its cause, its nature, its circumstances, and its consequences.

Never let the great point you are to inculcate, and your best argument, be entirely out of sight. **INCULCANDA, REPETENDA.**

Attend not only to the weak things of your opponents, but to the strong things of those who agree with you, and improve upon them.

Instead of absolutely denying, admit in a degree the force of what your adversary says, if the case will admit of it: by not totally denying it, and shewing it only wrong in the degree, or that it only proves too much, you take off all the force of the argument, without offending him.

Arrange in your own mind all your ideas from the beginning to the end, before you think of the words.

It is not difficult to form a general idea of what will be the arguments of your opponents: take a view of these, and consider them.

It is easy to suppose what will be the

answers to your arguments ; consider these, and be prepared to answer them.

Omit no natural opportunity of complimenting either the assembly at large which you speak to, or the individuals of it, which is still better.

Allusions and illustrations of your subject are to be drawn from men, books, and things ; from what has been said, written, and done upon it.

Admit, if you can with safety, what your opponent says, and shew it proves nothing. Men are more careful that what they say shall be just, than that it shall be conclusive to the point : the first is mere good sense, the second is something more ; it is just reasoning.

Do not rest satisfied merely with getting an argument ; but then consider, separately, the best manner of managing it. This makes it of double value.

A material argument is often to be drawn from the *order* in which things were done, or laws have been passed : what peo-

ple have neglected to say or do, generally throws great light on what they have actually said or done.

Turn a select case into a general principle; and if you cannot get a select case, turn a supposed one;—but detect this, if done by others, and shew what prevailed generally.

Throw in some local and momentary circumstances, if you can: it gives a natural air to what you say.

State, (with the air of a candid admission) as the strongest part of the argument against you, what you are sure you can answer.

In argument, men are apt to contend for a strict construction, if it answers their purpose; and then for a liberal one.

When a measure is calculated professedly to support either liberty or authority, endeavour to shew in some particular instance how it will affect the one or the other, which it is meant to promote.

Enliven what you say by an argument

drawn from, or an allusion to, the prevailing topick of the day, or to some event that has lately been the subject of conversation or debate.

Consider first, what *must* be said upon a subject, and next, what *may*. Form your argument and finish it, first, on the contracted plan; and then you may go to the right and left for such topicks as have a natural, though not a necessary, relation with the subject.

In each speech shew your excellence in these two talents; in investigating truth and exposing error.

Fallacy must be either in the theorem, the syllogism, the proposition, or the single term.

Contradiction of parts;—fallacy in the words,—the principles,—the facts,—the inferences, or the scholia.

Every thing must bottom on some intuitive truth.

The great business of reasoning in com-

mon life is, to apply general truths to particular cases.

Men take for granted what is doubtful, and state as doubtful what is clearly against them.

Do not confound the understanding by too few parts, nor burden the memory by too many.

Words often bear more than one sense, and are true or false according to the sense in which they are taken.

Consider the misrepresentation to which any fact or argument is most easily and naturally liable, and detect it when made.

In any question, but more particularly in a constitutional question, consult those authors who are most likely to maintain principles opposite to those which you want to maintain, as well as those in favour of you: a concession from the former has great weight.

Manner,—familiar, solemn, pathetick.

When one extreme is arraigned, shew how much better it is at least than the

opposite ; as, in the consideration of the civil list, a necessitous, than a rich, king.

Carefully avoid all local, technical, and professional phrases.

Do not rest satisfied merely with stating a thing, but consider over and over again how it may be stated brilliantly. Praise is acquired only by pushing things a point or two beyond that to which others can push them.

In most cases you must compare not good with ill, but ill with ill ;—the least evil is to be adopted : and if you cannot absolutely have good, you must participate of it.

When painters conceive a subject, they first make a variety of sketches, then a finished drawing of the whole ; after that, a more correct drawing of every separate part,—the head, the hands, the feet ; then they paint the picture, and retouch the whole.

Apply your strength where the real difficulty lies, instead of fixing on some sub-

ordinate and comparatively trifling subject.

Besides the beauty of each part considered separately, an additional beauty is to be derived from the particular manner in which those parts are arranged: the arrangement ought therefore to be attentively considered.

Consider what is, and what is not, well proved.

By method you understand a thing clearer, retain it longer, and explain it better.

Consider how a thing may be increased, diminished, divided, compounded, or diversified.

Mark, whether your adversary and you use the same word, in the same sense, and how much, or how little he includes in his idea of any thing: he perhaps considers a principal part as if it were the whole.

Mr. Addison observes, from Aristotle, that the expression ought to be most la-

boured in the inactive parts, as in *descriptions, narrations, &c.*—Opinions and passions are apt to be obscured by elaborate expressions.

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THE
REPRESENTATION
OF THE
LORDS JUSTICES OF IRELAND.

The following grave, temperate, and firm Representation of the Lords Justices of Ireland in 1760, (which may remind the reader, of some of the nervous and weighty papers, supposed to have been drawn up by Mr. Hyde, afterwards Earl of Clarendon, in the civil contests of his time,) will afford a good introduction to the ensuing speech, delivered by Mr. Hamilton, in the Irish House of Commons, on the point here discussed.

THE
REPRESENTATION
OF THE
LORDS JUSTICES OF IRELAND,
Touching the transmission of a Privy-Council Money-
Bill, previous to the calling of a new Parliament;
IN TWO LETTERS,
ADDRESSED TO
HIS GRACE, JOHN DUKE OF BEDFORD.

[*The following very apposite motto was prefixed to this REPRESENTATION, when originally published.*]

This hath not been done by the King, but by Projectors, who have extended his prerogative beyond its just bounds.—They have introduced a Privy-Council, ravishing at once the spheres of all ancient Government. They have taken from us—what shall I say? indeed, what have they left us? They have taken from us every means of supplying the King, and of ingratiating ourselves by voluntary proofs of our duty and attachment to him.

Speech of Sir Tho. Wentworth (afterwards Lord Strafford),
in the House of Commons of England, 1628.

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LETTER I.

MY LORD,

DUBLIN-CASTLE,
Nov. 23, 1760.

WE think ourselves called upon to write our minds fully and without reserve to your Grace, upon a subject of extreme delicacy and importance.

The contrary winds having for this week past prevented the arrival of pacquets from England, and as we expected by the first that should arrive to receive your Grace's commands with regard to dissolving the parliament, and the issuing the writs for new elections, yesterday in a Council called for ordinary business, we thought it proper in form to acquaint the Lords with the representation we had laid before your Grace upon that subject, and with our expectation of receiving your Grace's commands in consequence of it by the first mail; at

which they expressed a general satisfaction : we then desired their Lordships, and those Lords in particular to whom business of that sort peculiarly belongs, to consider (in order that no time should be lost) of bills fit to be transmitted to England, as the causes for calling a Parliament, and to take the proper steps towards preparing them. The Council did not happen to be the most numerous, but it was composed of persons of the greatest weight and eminence, from their rank in the King's service, and from their sobriety of judgment in all matters relating to the government and constitution of this kingdom.

The point that came into discussion was, whether on the present occasion it was necessary or expedient, that a money-bill should be one of the bills transmitted.

We shall submit to your Grace, as candidly as we are able, every consideration that appears to us to have weight on one side and on the other.

By the statute of Henry VII. commonly

called Poyning's Law, it is expressly provided, that all the causes and considerations for calling a Parliament in Ireland, and all acts which are thought fit to be passed, shall previously be certified by the chief Governor and Council, and affirmed by the King and his Council under the Great Seal of England; and that all proceedings otherwise are to be illegal and void: and the explanatory statute of Philip and Mary provided, that other matters which were not thought nor agreed upon before the summoning, may be treated of and enacted during the time of parliament, but to be certified and affirmed in the same manner.

This explanation opened the way to the bringing in heads of bills to the Houses of Parliament respectively. Yet the Constitution was still in every material point preserved, by the power exercised by the Council in amending inaccuracies, supplying defects, or suppressing the whole of what should come in that form proposed to them, when the tenour of it seemed to be

be improper. But since the sitting of Parliaments has been more regular, the framing of bills originally in the Council has become less and less frequent, and has been for many years past almost totally disused, unless on the occasion of calling a new Parliament, in which case the law requires it indispensably. But it requires only that such bills as are meet and necessary shall be certified; and does not say, nor seem to intend, what the particular purport of these bills shall be.

The practice on these occasions has unquestionably been, that one of the bills certified as a cause for calling the Parliament has been a bill of supply.

But it has been as constantly the case, that the want of an immediate supply has been the real and necessary cause of summoning the Parliament, and was truly certified to be so.

In the year 1692, in the first Parliament held here after the Revolution, two bills of supply were transmitted: the House of

Commons passed one, on account of pressing emergencies, but followed it with a resolution, that their proceedings should not be drawn into precedent. They rejected the other, and by their resolutions avowed their reason for rejecting it to be, "because it had not taken its rise in that House." The Parliament was immediately prorogued, and soon after dissolved. But in the speech or protestation delivered by the Lord Deputy (Lord Sydney) on the prorogation, in which the proceedings of the House were reprehended as a breach of the Constitution, there is no stress laid on the act of rejecting that bill, but only on the reasons assigned for doing it. The refusing the supply might be resented as undutiful, but the rejecting of those any more than of any other bills, was not censured as unconstitutional. We are therefore inclined to think, that the reason for transmitting a money-bill on the calling of new Parliaments has been the constant necessity of an immediate supply, and not

that a bill of that nature was ever considered as essential to the Constitution.

In 1727, upon the accession of his late Majesty, it appears from the Council-books, that a bill was transmitted (though very faintly, and as it were for form's sake recommended,) for continuing the duties which were to expire on the next 25th of December, to the 25th of March following.

The time of the King's decease affording then little more than bare room for the new elections before the season for the usual meeting of the Parliament, which did not meet that year until the 25th of November, something might have been said in support of the necessity of such a bill : and it is in the recollection of some persons then members of the House of Commons, and now of the first rank in his Majesty's service, that the bill was notwithstanding vigorously opposed, and supported by arguments of present expediency only ; such as the lateness of the season, and the hazard of suffering the duties to expire.

But we apprehend that the difference of the present circumstances from those, and indeed from any others, is too obvious to pass without notice.

From the day of his Majesty's happy accession there was almost a year to come before the usual meeting of the Parliament. The duties were to continue for a year and two months, besides a vote of farther credit to Government.

We hope that his Majesty, through your Grace's mediation, will have been pleased already to condescend to our request; and, we may add, to the wishes of all his faithful subjects here, by directing an immediate dissolution and a speedy issuing of new writs, to prevent the almost infinite and irretrievable mischiefs, in which the country would be otherwise involved.—When that shall be done, the Parliament is supposed to meet as soon as it is chosen, the intermediate prorogations being occasional and discretionary; and the causes assigned for

summoning ought to be of such matter as might instantly be proceeded upon.

But we fear that a supply cannot with truth, nor with any colour of truth, now, nor in some time to come, be certified as one of these causes:—nor when the objection is made, (as it most assuredly would be,) can we think of any sufficient argument to answer it. That of precedents is the strongest that can be urged; but it will fall to the ground, by saying, that the case is not similar; and that no instance can be produced, where a Parliament has been summoned in this kingdom, when there has not been at the same time a large arrear due to the establishment, unprovided for, and of course an immediate want of a supply.

Upon these grounds, (in case upon the arrival of the packets we should be honoured with your Grace's commands to execute the plan proposed in our letter of the seventh of this month,) we shall first proceed to dissolve the Parliament, from

which step there can be no bad consequence, in any event. We propose then to transmit from the Council such bills only as can be liable to no exception; which, we are convinced, will be the sense of the whole Council. We must then submit what is to be done afterwards to your Grace's wisdom, upon which we have the firmest reliance.

If our method of proceeding is approved of by your Grace and his Majesty's other Ministers, we shall be most extremely happy in thinking that your Grace, in the first place, and that we ourselves, the Parliament, and the whole kingdom, are freed from a great impending distress.

But if we are so unfortunate as not to have made ourselves understood, or if we are judged to be mistaken in our notions of his Majesty's true service, we must conclude, that the bills sent by us will not be returned, the whole proceeding postponed,

and the calling of a new Parliament delayed to a more distant time.

We must therefore remain under great anxiety of mind, till we know the determination upon this measure : the keeping the elections depending would be of itself a spring of discontent, that would afterwards, we fear, bring a torrent after it that could not be withstood.

Your Grace does not want to be informed, that people of all ranks here, as well as in other places, are more curious and inquisitive into business than they were formerly, and are every day more prepared to take advantage of inaccuracies either of substance or form. We cannot suppose, that it is to us only that this difficulty has occurred. We doubt not it is already the subject of expectation in the minds of those, who wish to distinguish themselves in publick business ; and if ever it should be brought into question, it will be insisted upon more strenuously by those, who un-

derstand the case, and magnified by those who do not, as an object of fears and jealousies of the most dangerous kind.

We cannot therefore but entertain sanguine hopes, that this usage, which appears to us at this time unnecessary and untenable, and at no time the essence of the Constitution, will now be dispensed with ; and that it will appear to your Grace, that no real detriment can now or hereafter accrue to the Crown by the omission of such a bill : but the rejecting it (which we are persuaded would be the case) would be attended with very sad consequences in any season, but more especially in a new parliament, whose temper would long retain the impression it first takes ; and a ferment would of course be diffused through the whole kingdom, which would be a most distressful scene at the opening of his Majesty's reign, and when the state of publick affairs is so precarious.

We shall only beg leave to add, that your Grace's effectual interposition at this

crisis will prove a most solid and lasting benefit, of which every serious and thinking man in the kingdom will know the value, and we trust will be truly grateful for it.

We think we have acquitted ourselves of our strict duty, and have no fear of offending by this representation; from the consciousness we have of the integrity of our motives,—of our strong zeal and affection to his Majesty and his Government,—of our sincere desire to see the Constitution preserved entire, and our apprehensions of seeing the whole hazarded upon a point, which we in our consciences and judgments are convinced is unsubstantial,—and of our zeal and wishes that your Grace, on your return to this kingdom, may find every circumstance of your administration agreeable to you. And we could not have forgiven ourselves, nor ought we to have been forgiven, if, as soon as we foresaw the danger, we had failed to point it out to your Grace, until

it should have been too late to provide against it.

We are, with the greatest truth and respect,

My Lord,

Your Grace's

most obedient

humble servants,

GEORGE ARMAGH.

SHANNON.

JOHN PONSONBY.

LETTER II.
TO THE SAME.

My LORD, DUBLIN-CASTLE,
Dec. 27, 1760.

YOUR Grace cannot doubt of our having been affected with the greatest surprise, nor of our feeling the deepest concern, on our finding that our representation to your Grace, dated the 23d of November, had produced an effect so contrary to our hopes, and that our intentions should be so far mistaken by your Grace, as that when the order was transmitted by his Majesty's Privy-Council of England to the Privy-Council here, your Grace was not pleased either yourself to condescend, or would not direct others (by whom your Grace's orders are usually signified to us, and whose total silence, as well upon, as since the occasion, can only in one way be accounted for) to

furnish us with any one reason that might rectify our own mistake, or might induce others to change the opinion upon which we and they had proceeded; and we must submit to your Grace, whether the ends of his Majesty's service might not more probably have been answered without this act of seeming severity, or whether any end can be answered by it, except that of rendering us as contemptible in the eyes of this people, as we must appear to have been in your Grace's estimation.

Yet although we have too just cause of apprehending that your Grace's good opinion and favour are withdrawn from us, we think it still a duty incumbent on us, so long as we are continued in his Majesty's service, to transmit to your Grace such accounts, as we hope, for his Majesty's information, of what has hitherto passed with regard to this difficult and perplexing transaction.

The letter from the Privy-Council of England was taken into the most serious consideration two days successively, the

18th and 19th of this month, in as full a Council as could be brought together; all lords within fifty miles of Dublin having been summoned to attend: and we must say, (how little soever our testimony may be wanted in this case, or how little weight it may at present carry in any,) that there could not be a greater harmony of affection, nor a warmer zeal for giving the strongest and most convincing proofs of duty and loyalty to his Majesty in the breast of any of his subjects, than in those lords who were there assembled. Diversity of opinions there was, and still remains among them; and the point of difference seemed to us to be, whether the nominal or real service of his Majesty's Government ought to have the preference; it being a matter of great difficulty with Lords, and as we thought, with the major part of them, whether they, conceiving themselves bound by the most solemn oaths as Privy-Counsellors to give the best advice that occurred to them, could, though required by the highest au-

thority, advise and recommend a measure, which, it was not denied by any, might in its consequences obstruct the very service they had sworn to promote.

This consultation ended with an order to a Committee to prepare a bill or bills containing more material causes than those already offered for calling a Parliament: the Committee met on Monday last; a bill was offered for continuing the duties already granted by Parliament to his Majesty, for three months from the 25th of December 1761, the day on which they are to expire; and without further proceeding the Committee adjourned itself to the 12th of next month.

As the consequences of delay can immediately affect the people of this kingdom only, we have rather wished to avoid a hasty determination; as hitherto it has not seemed to be in our power, if we had wished it, to have procured any other but a negative determination upon that sort of bill which appears to be expected, though not

expressly required from us ; besides that it would be no easy task for us to endeavour to reconcile to others that which we could not say we had reconciled to our own judgments : it has therefore, after many expedients offered, been concluded on all sides to be more respectful, to make no return, until such a one can be made, as shall be previously known will be received as satisfactory ; and in the mean time we must submit to the inconveniencies which by this misunderstanding have fallen upon us.

But this short pause affords us an opportunity of laying the motives of our past conduct before your Grace more fully than we have done, not having apprehended they would be called into such strict question, and also of declaring our sentiments more explicitly with regard to what may be to come : and we humbly hope, and confide in your Grace, that this explanation on our part offered in justification of ourselves may undergo the consideration of those of his Majesty's Ministers, who may

have imagined that we have been wanting in our duty to his Majesty, or have been attempting to innovate upon the constitution of this country.

We are informed by report, (the only light we have now to walk by,) that we are supposed to have formed this entire plan, before we offered our opinions upon the expediency of immediately dissolving the late, and of calling a new Parliament; and that we produced it piece by piece, as we thought the execution of it might be best secured: we confess, we are almost ashamed of endeavouring to clear ourselves of such an imputation; at the same time we can say no more in answer to it, than that it has not the least foundation in truth, and as far as a negative is capable of being proved, we could prove that such a suspicion is most injurious to us: the first thought was sudden; the shortness of the time allowed no leisure for slow deliberation; every form of calling a Parliament was not present to our minds, nor did the difficulty now in question occur to any one of us,

until it was mentioned in Council on Friday the 21st of November, two days before the date of our letter on the subject to your Grace. We saw the reason of the case, and so did every Lord of the Council present; and we hoped that the reason might carry it through. This is the whole of the management that has been used; and we must with some confidence ask your Grace, whether our conduct since we have had the honour of serving the Crown under your Grace's inspection, tallies with this disingenuity, of which we are told we stand suspected?

We shall not detain your Grace with repeating arguments upon the point itself, already, as we must conclude, thought insufficient. The right of certifying money-bills originally from the Council, we never meant to question. Every Lord of the Council has been explicit in declaring that right, and will be ready to vindicate and support it upon every occasion of necessity, where the necessity shall arise in the natu-

ral course of things, and is not created evidently for that purpose : and as we conceived his Majesty's prerogative (by which we understand a right inherent in the Crown) to be in no way concerned in this question, we thought that present expediency might with safety be consulted, as not only the intention, but the very letter of Poyning's Law, taking the explanatory act along with it, was as effectually complied with, and generally understood to be so, by certifying a money-bill into England, the matter of which has been first proposed in the House of Commons, as if it were originally begun in the Council.

When we considered present expediency, we thought there never was a season in which the Privy-Council could with less certainty than at present take upon them to foresee the several contingencies, and to settle all the various possible relations of his Majesty's revenues and establishments in this kingdom, which may happen from this time to the 25th of December 1761,

when any money-bill they should have now certified must commence: many new laws for the better collecting the duties were also passed in the last session, and are now in experiment, the different effects of which may make it necessary to change the rates of particular duties; and if any plan of that sort should be in the minds of the leading Members of the House of Commons, whether for the advancement of his Majesty's revenue, or for the ease of the subject, and they should find themselves prevented by a bill prepared for them, that consideration might serve as a reason for rejecting the bill, even with those who otherwise might be induced to treat it with more delicacy.

But the manner in which the last bill of that nature which was offered to the House of Commons in the year 1727, (and which was free from any of those objections that may now be apprehended,) made its passage through the House, and the unanimous resolution, declared to be a standing order of that House, which immediately fol-

lowed, and seems to have been a sort of stipulation for the passing it, has intailed new and insuperable difficulties upon those who have now the honour of serving the Crown; and was a condition that, we must suppose, would not have been submitted to, if the passing of the bill, which was at that time necessary, could have been obtained upon easier terms.

Upon these considerations we could not apprehend it would be thought criminal in us to advise that the Commons of Ireland, as the most convincing proof of their loyalty and affection, should be indulged in the liberty of offering to his Majesty in the first session of his reign the usual, or (should the exigencies of Government require it) larger supplies, of their own free will and motion; rather than for the sake of forcing upon them at most a nominal and ineffectual bill of supply, to hazard the real supply; and disincline them from setting about with cheerfulness to make a sure provision for the discharge of those large

sums voted to his late Majesty in the last session of the late Parliament, the payment of which is only secured by a vote of credit of a different representative.

That a bill now to be transmitted would be rejected, seems to be put out of question, even by those Lords who are the most ready to certify it. But that to some may be an event, in which they from their situation may look upon themselves as not accountable. We, whilst we are continued by his Majesty's favour in the high trust now committed to us, should think ourselves the worst of servants, if we did not look a little further into the consequences of measures, in the execution of which we are to have a share; and consider that his Majesty will take the sense of his Parliament as the sure criterion by which he will judge, whether his business is well or ill conducted, and of the merit and demerit of those, whom he shall be pleased to employ in his service.

We are persuaded (whatever the disposi-

tion of the nation may be in other points,) that in any House of Commons that could be elected here, there would not be a man whose heart would not be full of duty, loyalty, and affection to his Majesty; yet it is no inconsistent supposition, that much uneasiness may be created to Administration, if the gentlemen who compose that House in the ensuing Parliament, should meet together not a little disturbed and agitated by this measure, certainly much sowered by the expence which the delay of issuing the writs must unavoidably occasion, and with minds fretted and ulcerated by the animosities with which such tedious disputes and competitions must necessarily be attended.

But there is reason to apprehend still worse consequences, should the body of the people, incapable of judging of the precise value of forms, and therefore the more apt to conceive unreasonable jealousies and suspicions of what is represented to them by superiors merely as such, be influenced by their fears, or by the artifice of factious

persons, to exact new tests from their representatives; which practice has been early set a foot, and is daily spreading itself in all parts: and there may be too much reason to fear, that many amongst the candidates may, in the course of a long and violent ferment, be drawn into a compliance, and may plead the obligation, or the dread of the consequences of violating it, as a reason for an obstinate and general opposition.

We must again submit to your Grace, whether we, as being supposed to be not unacquainted with the temper of the people of Ireland, and the several views of those distinct parties which have ever subsisted in it, were not obliged to lay these matters before your Grace, and his Majesty's other Ministers; and whether we might not have had some hope they would be listened to in a point, which, until we are better informed, we must say doth not affect the prerogative, the Constitution, nor any one law of either kingdom: and we must once more, for the last time, with all deference

recommend it to your Grace's consideration, whether any measure can be devised more for his Majesty's service, than that his Majesty should be graciously pleased, through your Grace's interposition, and that of his Majesty's principal Ministers, who are deservedly possessed of the esteem and confidence of all his Majesty's subjects, to yield so much to the advice of his servants here, as to dispense with this matter of form, which cannot now be observed but at the expence of substantial inconveniences; and the loss of which, if it is thought of value enough, may be redeemed at any other season, when the circumstances of affairs shall be more apt, the disposition of the Parliament shall have been tried and known, and the temper of the people been better prepared to receive it. Other bills are now preparing of more material import than those already certified, in which we confess that the form of the proceeding was alone considered: although, if the causes contained in the bills upon the calling

the last Parliament were to be examined according to their strict value, they might also have been said to have been insufficient. But the Council, as it is now constituted, do not propose to transmit those or any bills, until it is in some way intimated, whether there may not be such material causes offered, as will be deemed sufficient, although the usage for many years past should not be literally observed.

But if that indulgence cannot upon any consideration be obtained, and a money-bill must in all events be certified, we, as Lords Justices, must now with the utmost concern that can be felt by men, declare to your Grace, that we cannot set our hands to that certificate; and therefore, as it is not in our intention to obstruct, although it is not in our power to perform, that service, and as the signature of the chief Governors to such a certificate is by law necessary to make it effectual, we do upon the most serious and sober consideration request of your Grace, if this matter must be exe-

cuted, to remove that obstacle, by recommending to his Majesty some other person or persons to take the charge out of our hands; and that the commission by which we are impowered to act, may be superseded. We are not so infatuated as to be blind to the consequences which may follow to ourselves upon this step, which we are driven by necessity to take; nor to the constructions which our conduct may receive; and it must surely be a very urgent necessity that drives us to it. If this were a premeditated purpose, the result of artifice and intrigue, we should have hardly pitched upon this time, when the whole body of all his Majesty's subjects (and we with the foremost of them) are joining with one voice and mind in the admiration of his royal virtues, and endeavouring, as we have been within our narrow sphere, to lay a foundation for the future honour and quiet of his government; we should not, we must repeat it to your Grace, have chosen this time for exposing ourselves to the dan-

ger of being represented to his Majesty as deviating from the strict path of duty in any article. But our own integrity must be our support ; and we are convinced in our consciences, that we give a more substantial evidence of our duty and attachment to his Majesty, by offering in these circumstances to retire from his Majesty's service, than we could by retaining our stations, after we were deprived of all weight, credit, esteem, and confidence, that ought to attend them.

There is no doubt that this would be our condition, if we were to recede from our unanimous opinion, when it shall be evident, to all who know us, that nothing has intervened, that could influence our judgments, or rectify our mistakes with respect to the point itself; as we have been obliged to declare to the Privy-Council (to clear ourselves from the suspicion of concealing information from them) that your Grace had not been pleased to honour us with any communication upon it. As we can-

not carry our views beyond this kingdom, we are not to judge how far any civil struggles may call for the attention of his Majesty's Council in England; but when we foresee troubles and animosities likely to arise, and we had in our own time such experience of the very bad effects and of the long duration of the national ill-humour, we hope it will not be thought indecent in us to persist in advising, as long as we have a right to offer advice, that some allowance may be made by his Majesty's Ministers for the difference of the state of this kingdom in the present time, from the low, unsettled, weak and depopulate condition of it even at the time of the Revolution; and that the temper of Administration, though the Constitution remains the same, might in some respects be accommodated to this change.

If it should appear hereafter that our apprehensions are without foundation, we shall with reason be condemned, as having taken a very false measure of the temper of

the country, with the care of which we have been intrusted; but if it should happen otherwise, we may still have it in our power, as we shall certainly have it in our inclination, to give such proofs as cannot be questioned, of our loyalty, duty, and inviolable affection to his Majesty, by appearing in the support of his Majesty's Crown and Government; by maintaining true, legal, constitutional dependency of this kingdom upon Great Britain; and by using such influence as we may retain, in composing those animosities and divisions, which we have great reason to fear it will be difficult to prevent.

We are, &c.

G. A.

S.

J. P.

A

S P E E C H

DELIVERED IN THE

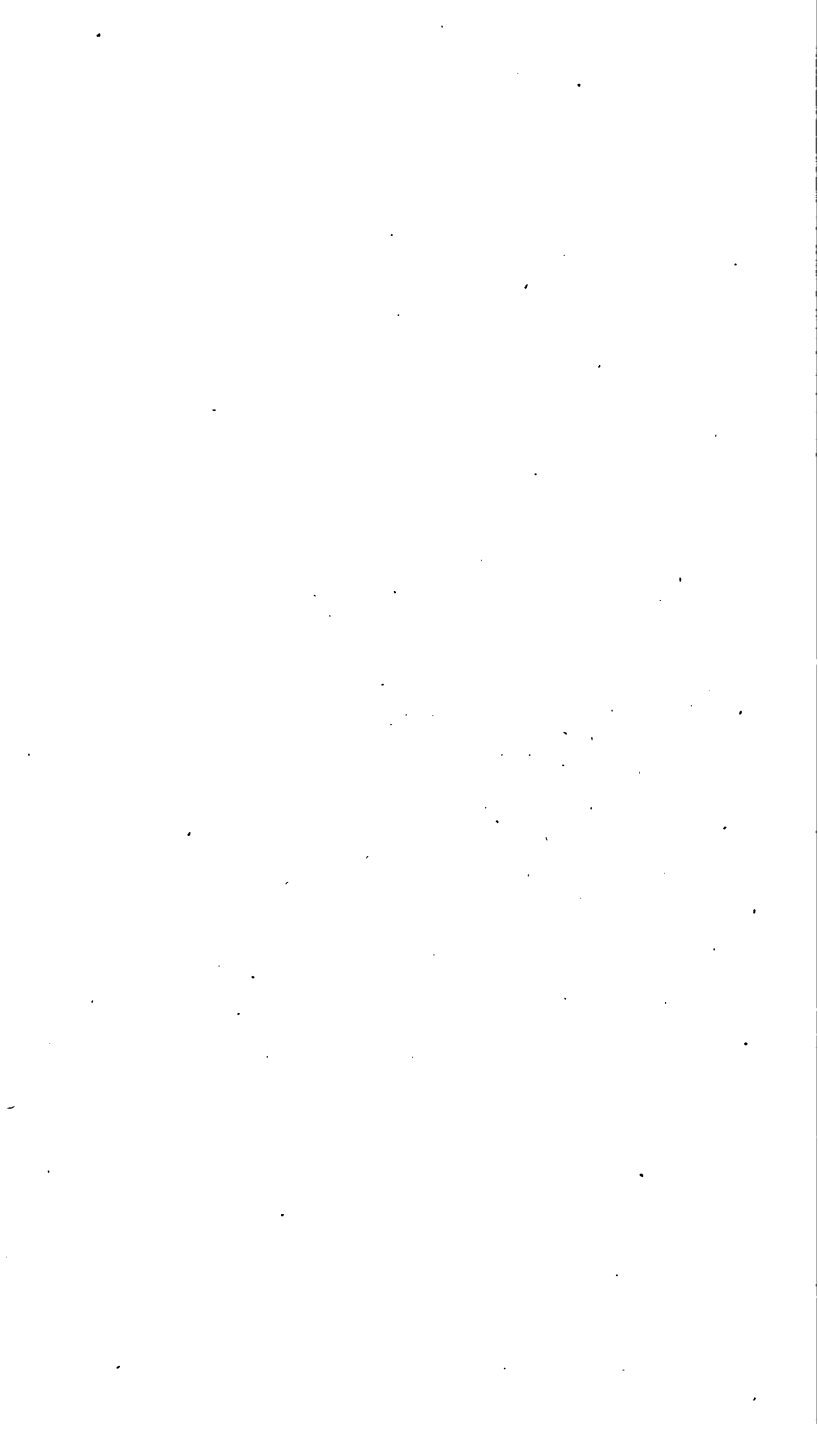
HOUSE OF COMMONS OF IRELAND,

IN NOVEMBER 1761,

ON

THE SUBJECT OF A MONEY-BILL,

which took its rise in the Irish Privy-Council, and after having been certified into England under the authority of the Act of 10 Henry VII. ch. 4. as the cause and consideration of calling a new Parliament, and been returned from thence, was introduced into the House soon after their meeting.



A

S P E E C H

DELIVERED IN THE

HOUSE OF COMMONS OF IRELAND,

●

IN NOVEMBER 1761.

SIR,

I RISE up, not without a very great degree of reluctance, to offer any thing to the consideration of the House, upon a question which so many unhappy circumstances have rendered a question of so much publick notoriety; in which the privileges of this House are supposed to be so very deeply affected; and which the attendance of the House upon this day has marked out to the publick as a question of no very ordinary expectation.

There is one disadvantage, Sir, and I know but of one, under which the friends to this bill labour; and that is, Sir, the difficulty which always attends the removing of prejudices, however weak and ill-grounded in themselves; which under fair appearances, under plausible and captivating names, have insinuated themselves into the minds of gentlemen.

Before, Sir, I take the liberty of offering any thing directly to the question, it is necessary, however, that one impression should be removed; too weak indeed to have had any influence on the good understanding within the House, but which has, Sir, been circulated without doors, and not without its effect; as if there ever was an idea entertained either in Great Britain or this kingdom, by any one individual, that a single shilling was to be raised in this country without the consent of this House; or that it should be subject to any burthen or imposition whatsoever, not only without the sanction, but without the po-

sitive order of the representatives of the people: and I hope, Sir, the House will give me credit, when I assure them, that if I thought from the passing this bill there was a remote distant possibility—if it had even the remotest tendency to any such idea, no circumstance or situation whatsoever could induce me to stand forward as an advocate for so ruinous and so destructive an opinion.

And, Sir, great part of this debate having arisen, in my opinion, from a misapprehension of the question, I shall beg leave even at this hour, and in this stage of the debate, to call back the attention of the House to what is, or at least to what I think is, the real question before us. The question is not, Sir, as I have already said, and it cannot be too often repeated, whether money can or cannot be raised without the consent of this House; it is not, Sir, whether a money-bill may or may not take its rise in this House; (no man can hesitate upon that;) but it is simply this;—

whether the Crown likewise has not vested in it by the Constitution a power of bringing in, in the first instance, every sort of bill whatsoever, and of course inclusively such a bill as this, which is now under your consideration.

All the arguments upon which this bill has been opposed, as far as I have been capable of observing, are reducible to one of these four heads :

1. Positive statute.
2. Parliamentary precedent.
3. Objections arising to the peculiarity of this identical bill.
4. Arguments drawn from analogy to the practice of the British House of Commons.

So far gentlemen's arguments go together, and form one body. Afterwards they branch off into separate parts ; and one must trust to one's memory to collect some of that variety of argument which has fallen from different gentlemen, dis-

persed and scattered through this wide debate.

It is, Sir, one of the happinesses of this Constitution, that we are never left at a loss, but may always appeal to clear and positive law: and if ever there was a law, which, from the end it had in view, and from the means it made use of for the attainment of it, was clear and unambiguous, and which must preclude all diversity of opinion, it is the law which has now and upon so many other occasions been the subject of your consideration. Nothing is more evident, than that by this act all bills to be certified in the first instance were such as should be approved, not by either House of Parliament, but by the Privy-Council, and by the Privy-Council only: the House of Commons, so far from reserving to themselves a right to bring in, in the first instance, a money-bill, or any bill whatsoever, by their consent to this act expressly precluded themselves from it. No bill could be considered during the course of the

Parliament, which had not been certified by the Council before the meeting of it. As long therefore as this law stood un-enlarged, the House of Commons, so far from having an exclusive right to bring in a money-bill, had not even a right in common with the Privy-Council; so far from engrossing, they did not even share this right; there was not the smallest possibility of their participating in the smallest degree, in the first suggestion of any bill whatsoever.

One argument indeed has been thrown out, which is not without ingenuity, though it is totally without foundation; as if a money-bill could not have been in contemplation at the time of Poynings's Law*,

* So called from Sir Edward Poynings, Lord Deputy of Ireland in the tenth year of Henry the Seventh, 1495.

There are two laws in Ireland known by this denomination. The first, 10 Henry VII. ch. 4, which gave rise to the question discussed in the present speech. The other, 10 Henry VII. ch. 23, by which

because no subsidies were granted in this kingdom at that time. Sir, if that Parliament could have forgot the subsidies which were granted, and which are still upon record in the 40th of Edward the third, and in the 19th of Edward the fourth, they could not possibly be strangers to a very heavy tax which was laid upon every acre of arable land by that very Parliament which passed Poynings' Act: so that so far from having escaped their attention, it is more probable that it was one of the immediate objects under their consideration: and indeed, Sir, not only the fact, but the reason of the thing, makes it probable; for the

all the laws of England made before that time were re-enacted, and made the statute-law of Ireland. See Blackstone's COMMENTARIES, l. 102, 4to. The former of these acts was for near a century a subject of frequent debate in Ireland; particularly in 1692 and 1769; but at length the question was laid at rest by the new constitution of Ireland established in 1782; which was itself abolished by the Act of Union in 1800.

great object of Poynings' Law being to interpose the authority of the Crown, that laws oppressive to the people might not be passed by the violence of domestick factions, it is probable that levying money improperly, which was one of the severest oppressions, was at least one of the objects of that law. Nay, Sir, the great benefit proposed by Poynings' Act was, the abolition of coigne and livery, of coshering *,

* " The most wicked and mischievous custome of all others, was that of COIGNE and LIVERY, often before mentioned; which consisted in taking of man's-meate, horse-meat, and money, of all the inhabitants of the country, at the will and pleasure of the soldier, who, as the phrase of scripture is, *did eat up the people as it were bread*; for that he had no other entertainment. This extortion was originally Irish; for they used to lay *banaght* [free-quarter, or commutation for it in money,] upon their people, and never gave their soldier any other pay: But when the English had learned it, they used it with more insolency, and made it more intollerable: for this oppression was not temporary or limited either to place or time; but because there was every where a continuall warre, offensive or defensive, and every lord of a countrey,

and all the other savage and barbarous exactions, under which this country at that

and every marcher, made warre and peace at his pleasure, it became universall and perpetuall, and was indeede the most heavy oppression that ever was used in any christian or heathen kingdom." - - -

- - - " This extortion of COIGNE and LIVERY was taken for the maintenance of their men of warre ; but their Irish exactions extorted by the Chieftains and Tanists, by colour of their barbarous seignory, were almost as grievous a burthen as the other ; namely, COSHERINGS, which were visitations and progresses made by the lord and his followers among his tenants : wherein he did eate them, (as the English proverb is) *out of house and home*. SESSINGS of the kerne, of his family, (called, KERNETY) of his horses and hors-boyes, of his dogges and dog-boyes, and the like. And lastly, CUTTINGS, TALLAGES, or SPENDINGS, high or low, at his pleasure : all which made the lord an absolute tyrant, and the tennant a verie slave and villain, and in one respect more miserable than bond-slaves ; for commonly the bond-slave is fed by his lord, but heere the lord was fedde by his bond-slave."

A Discoverie of the true Causes why Ireland was never entirely subdued, &c. by Sir John Davys, 4to. 1612. pp. 173, 177.

time laboured. So far, therefore, from there being a shadow or pretence, there was not even a possibility, of the Commons interfering in any bill in the first instance.

Now, Sir, what alteration was made by the act of Philip and Mary, that could affect the merits of this question? The object of that act was simply this;—to enlarge the power of the Privy-Council, not of the House of Commons;—to enlarge not so properly their power, as to enlarge the time of exercising it; to enable them to certify bills *after* the meeting of the Parliament, which till then they had only been enabled to certify *before* it. This act left, and meant to leave, the power of the House of Commons exactly where it found it; neither abridged nor enlarged it. The power of which the House of Commons is now in possession, of bringing in heads of any bill, though in course of time it became one of the consequences of this law, was never originally one of the objects of it. For several years after the passing of this

statute, the Commons did not claim to themselves any thing that looked like a right of interfering in the first instance. What they did, for many years passed under the mild and gentle name of a remembrance; it contained nothing more than a general wish; a distant intimation of their desire, that a law might be framed to this or that particular purpose. From this generality it became more circumstantial and minute. That their wishes might be more fully explained by themselves, and more accurately comprehended by the Council, they descended into a specification of particular provisions; they penned particular clauses, which gradually worked themselves into what are now called Heads of a bill, and which are treated with all the parliamentary forms of proposition and debate, that are used upon any bills in the British House of Commons. Now, Sir, it is a little extraordinary, and not a little unreasonable, that the House of Commons,

having by practice acquired a right which the law did not mean to give them, of bringing in bills in the first instance in common with the Council, should, not content with participating in this right, under colour of this very law attempt to exclude the Council from it; when the object of the law was clearly to confine it to them.

Sir, as subsidies were the immediate object of Poyning's Law, so between this law and the statute of Philip and Mary, other subsidy bills were passed; so that subsidies appear at least as much as any other bills to have been an object in view. Sir, if I had been an enemy to this bill, I would first have moved for the repeal of Poyning's Law. Till that obstacle was removed, I should have had no hopes of success: an obstacle, Sir, which I hope never will be removed, which has always been looked upon as the charter and security of the British and Protestant interest in this.

country, and which in all the vicissitudes of this Government, as the true or false interests of it have preponderated, has been revered or attacked. We know, Sir, that one of the conditions of the Papists in 1661, was, the repeal of this act; we know that the first act of the pretended Parliament of King James was the repeal of it; and, if we had no other reason, that would be sufficient, that alone must endear it to this House. But, Sir, in whatever light it may appear, no one has a right to question the expediency of this or any other law, till the repeal of that law is the direct object before you: while it stands unattacked, it ought to stand unimpeached. I hold to the law; I have no other security; no man has any other security for what is great or valuable amongst us.—Here, Sir, therefore, the argument might very safely be rested.

But, Sir, if it were necessary or possible to add strength to this law, which has stood so long and so firmly, as one of the pillars

of the Constitution, and which, though so often attacked, has never been impaired ; if it were possible to throw light upon a thing so evident and glaring, what can do it more effectually, than the uniform and uninterrupted practice of Parliament from the tenth of Henry VII. to this hour ? And, Sir, I take it to be a truth that will not be controverted, that from the passing of Poynings' Act to this hour, it has been the constant and regular usage in every Parliament where money has been granted either at the first or any subsequent session of it, that there have been transmitted before the meeting of such Parliament one or more money-bills, since that name has been adopted, and subsidies before, except in a single instance. Do you appeal to the letter of the law ? the Statute-Book will answer you. Do you appeal to the spirit and intention of it ? the Journals will confute you. Each of these authorities, single, would be sufficient ; united, they are irresistible.

But, Sir, if precedents which are the sense but of one branch of the legislature, could have no weight against law, which is the sense of the whole legislature, how much less weight can the resolutions of the House have against law and precedent, which is the practice of the House? No man, I suppose, will set their words against their actions, or adhere to their resolutions when they are contradicted by their practice. But, Sir, if this bill were to be argued upon this ground simply, it is unexceptionable, as far as regards the resolutions of the House in 1692*. Whoever con-

* These resolutions, which were passed by the House of Commons of Ireland in October 1692, were as follows :

1. " That the reason why the said bill [imposing a tax upon corn-lands] was rejected, is, that the same had not its rise in this House.

2. " That it was and is the undoubted right of the Commons of Ireland in Parliament assembled, to prepare and resolve the ways and means of raising money.

siders, Sir, the ingratitude of those times to their great deliverer, in endeavouring to abridge the known prerogative of the Crown at a time when by the exercise of that very power they were freed from every evil they could apprehend, and placed in the enjoyment of every blessing they could desire, will, I am sure, think with me. By us, I am confident, by this House of Commons, those resolutions will be considered, as they were by the loyalty of the subsequent Parliaments in Queen Anne's time and that of George the First, as an example not to be followed, but to be avoided.—As to the resolution of a money-bill's taking its rise in the ways and means, the House refused to make that a standing order, last session. With the standing order of 1727, it complies; it is therefore less exceptionable in that respect. The argument gathers

3. "That it was and is the sole and undoubted right of the Commons to prepare heads of bills for the raising money."

strength as it goes :—not only law and precedent support it, but the detached resolutions of the House ; they all coincide and conspire to make this a legal, a regular, and a constitutional bill.

In order, Sir, to weaken the force of precedents upon this occasion, a distinction has been attempted to be established, to shew that this bill is not in every minute circumstantial particular precisely and exactly the same with those which have been sent over on similar occasions. But, Sir, what is the nature of the objection ? it is not, that this bill does more than any other bill, but that it does less. They who oppose this bill, object, that, instead of granting a new supply, it is providing for the continuance of an old one. That this might be, and I believe was, an objection on the part of the Crown, one may readily conceive. There is nothing, Sir, in which I am clearer, than that they who preferred this ending this species of money-bill, acted from the fullest conviction of their con :

sciences. But, Sir, I then thought, and still think, that the Crown did by the acceptance of it relax (very properly indeed) from the rigour of its right: and, Sir, if I thought, as many gentlemen do, that all Council money-bills were wrong, I should certainly think that the late Lords Justices had done less wrong than any of their predecessors; I should flatter myself that this bill in some sort might have been supposed to have taken its rise in the House of Commons; I should flatter myself that some points had been gained; that it granted a smaller sum of money; that it granted it for as small a term as it was ever granted for.

Now, Sir, here let me observe two things: first, that there have been instances in which money-bills have taken their rise during the sitting of Parliament, in the Privy-Council: there have been instances in which the supply given, has been given by the certified bill, for the whole two years. A money-bill's being certified, except upon the calling of a new Parliament, has

been long disused : this disuse arising from the lenity of the Crown, is brought as an argument against the existence of the right in the Crown. The moderation of the Crown in accepting this uncustomary money-bill, is brought as another reason against coming into it. Now, Sir, what a lesson is this to the Crown, never on any occasion to relax from the rigour of its right, lest we shall make an ungenerous use of that moderation, and turn its own concessions against it ? And here give me leave to say, the Crown does not intimate, as has been asserted, that a money-bill was the only, though it does that it was one, and perhaps the principal, cause of calling this Parliament.

As to the analogy between this and the British House of Commons, every argument must be inconclusive, which means to assimilate things that are in their very form and origin, in their very first concoction, not only different, but opposite. The

two Constitutions were once indeed upon the same model. To what bad purposes that Constitution was perverted, stands authenticated not only in history, but in the preambles of acts of Parliament. The House of Commons itself saw that it had been abused. They saw, that the ~~correction~~ of those abuses ~~was~~ necessary; and at their desire it ~~was~~ that they were corrected. The plan of Poyning's Act was, to remove the Constitution from the ground on which it stood; to change the model of it, and to make it not only different, but in some respects the very reverse of the English House of Commons. Would you relapse into your former errors? Would you go back, and relinquish the experience of better times? What is there so fatal and noxious in this money-bill? Why, Sir, is that to destroy the Constitution now, under which the Constitution has subsisted undestroyed for two hundred years? Do not let gentlemen imagine, that every diminution of the

prerogative is an acquisition ; or that every change of the Constitution, of course is an improvement of it. The whole of this Government is to be maintained : whoever disarranges one part, disarranges the whole. Our duty, Sir, is not to innovate or to alter, but to preserve the Constitution, as it is, entire. The passing this bill is no innovation : the doing it, is regular ; the not doing it, is otherwise. We shield ourselves behind the Law and the Constitution ; that, Sir, is a full security against the feeble efforts of popular prejudice, of warm, of honest, but of mistaken men. Sir, if the advocates for this bill are mistaken, they are mistaken with very great authorities ; with eight Judges of Ireland *, and with twelve Judges of England † ; with positive

* The opinions of the Judges of Ireland on this question were delivered to Lord Sidney, Lord Lieutenant, Feb. 14, 1692-3.

† The opinion of the English Judges on the same subject, were given to King William the Third, June 22, 1693.

statute, with uniform precedent; with the sense of forty Parliaments, and the practice of near three hundred years.

The bill passed, the numbers for it being 147; against it, 37.

*Journals of the House of Commons of
Ireland, vol. vii. p. 108 ; 23d of January,
1762.*

“**T**HE Right Hon. Mr. Secretary Hamilton acquainted the House, that he had a message from his Excellency the Lord Lieutenant, to this House, signed by his Excellency, and he presented the same to the House ; and the message was read by Mr. Speaker, and is as follows :

“ “ DUNK HALIFAX.

“ I have it in command from his Majesty, to inform this House, that after the most conciliatory efforts which his Majesty’s moderation could dictate, or his royal dig-

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nity permit, affairs have been brought to an unhappy, though, on his side, to an inevitable rupture, with the Court of Spain.

“ In consequence of this event, and of the dangers to which this kingdom may thereby be particularly exposed, his Majesty has directed me to inform this House, that he has thought it necessary to make an immediate augmentation of five battalions to his forces on this establishment.

“ I have it likewise particularly in command from his Majesty to assure this House, that after the liberal grants which the Parliament of Ireland has made in the course of this session, it is with much regret he finds himself under the unavoidable necessity of making any application for further supplies: but his Majesty having, in all exigencies, the most full and firm reliance on the experienced affection and loyalty of his faithful Protestant subjects of Ireland, entertains no doubt that this House will concur,

with their usual unanimity and cheerfulness, in those measures which the present war has rendered so indispensably necessary for the defence of his Majesty's Crown, and of the religion, laws, and liberties of this kingdom.

“ I have directed estimates to be laid before you of the charge that will be incurred by the proposed augmentation, with as much exactness as it can be computed ; and this House may be assured, that such sums as shall be granted, will be applied with the strictest economy.

“ I am sensible how unnecessary it would be for me to add any thing, on my part, in regard to a measure that comes so strongly enforced by the recommendation of the Crown, by the situation of affairs, and which is essential to the safety of this country ; yet as I look upon this service to be of the utmost moment to the security and preservation of this kingdom, I shall consider your proceeding on it with ala-

crity and dispatch the highest honour that can be conferred upon my administration.

“ D. H.”

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A

S P E E C H

DELIVERED IN THE

HOUSE OF COMMONS OF IRELAND,

ON THE SUBJECT OF

A M E S S A G E

FROM THE

LORD LIEUTENANT OF IRELAND,

IN FEBRUARY, 1762.

SIR,

I HAVE listened with as much attention as I was able, to every argument which has been offered in the course of this debate; and though, Sir, I may differ very widely upon the whole of this very interesting and

important question from many Gentlemen who have spoken upon it, it is some consolation to me that there are many, and those not slight, particulars, in which I have the good fortune to agree with them. Being, however, so unfortunate as to differ in opinion from Gentlemen of great weight and consideration in this country ; being so unfortunate as to differ from my honourable and learned friend near me *, I own, Sir, I feel myself at a loss, and cannot avoid being extremely diffident of my own ability.

Nothing, Sir, has been, nothing can be said, of the affection and liberality of Parliament ; nothing has been, nothing can be said of the necessity of well-judged economy, that I do not subscribe to in all its latitude, and that I do not feel in all its force. I know indeed of nothing which

* It is believed, that the gentleman here alluded to was the late Right Honourable Edmund Sexton Pery ; afterwards Speaker of the House of Commons, and in 1785 created Viscount Pery.

would more deserve the indignation of Parliament, than at this juncture even an endeavour to countenance any measure which might impose upon the freest and most willing House of Commons that, I believe, ever sat, a single shilling of wild unnecessary expence. But, Sir, the intelligence which this message conveys, the assistance which this message solicits, is not founded upon rumour and uncertainty, upon remote events and possible contingencies. The event upon which this application to Parliament is founded, has actually taken place; and is of too publick notoriety to want the sanction and authenticity of a Message.—There are two things, Sir, which from the hearing that Message read, cannot, I believe, have escaped the most careless and inattentive observer; the first is, that this intercourse and freedom of communication strongly marks out the harmony which subsists between the Crown and its Parliament. This method of application, Gentlemen will recollect, was

introduced at the Revolution, when Kings were taught the respect due to Parliament; and, Sir, I do undertake to say, there is not a Message on the Journals of the Irish House of Commons, which equals this in graciousness and condescension,—there is not one on the Journals of the British House of Commons, which exceeds it.—The other circumstance is, that his Majesty has blended what it is so difficult to unite in any measure, the utmost temper with the utmost vigour. To aggravate the burthens of war by an increase of strength an instant before it was necessary, would have been exceptionable. To render your safety precarious by delaying an instant, after it was so, would have been unpardonable.

Sir, there are two situations which in every period of time, and in every country of the world, have been allowed not only to justify, but to demand, an augmentation of its strength: the first is, where you are to contribute to the relief of those to whom you are bound by affection, by gratitude,

and by remote ties of interest ; and the next is, when you are impelled by the less generous but more powerful motives of immediate and personal danger. These two circumstances, Sir, detached and separated, have been always thought sufficiently convincing ; but united, they have ever been irresistible. This, Sir, I apprehend, is at this instant of time precisely the situation of this country. We are plunged by necessity into inevitable war ; we have, Sir, one set of dangers, as a part of another Power ; we have another set, which are appropriated and peculiar to ourselves.—Whoever would shew with effect the inutility of this measure, must shew not one only, but both, of these things ; first, that there is no subsisting obligation which binds this country to any thing but its own immediate defence and protection ; next, that any additional expence on that account is useless, because this country never will be the object of an enemy ; and if it should

be, from its internal strength it will rest in perfect security.

That this country may be an object to an enemy, is a question not now to be debated. That it was so two years ago, I have never yet met with any man who disputed. No man has a right to suppose, that if the circumstances of the war had continued now exactly the same as they were then, this object would have been laid aside: much less has any man a right to conclude, that the desire to effectuate a purpose will diminish, in proportion as the capacity to accomplish it increases. Whether this country was an object in the idea of an enemy, depended upon intelligence, in which, however well authenticated, there was always a degree of doubt; to oppose, therefore, an augmentation of strength, and an increase of expence, had something colourable; it had something which, though it was not reason, yet looked like reason. That men should not feel on

account of dangers, to which, however probable, they have not been exposed, is both natural and common; but that they should be insensible to dangers to which they have been exposed, and from which they have escaped, is neither natural nor common. These two striking circumstances mark the difference between your present situation, and your past. You know to demonstration that the distress of this country has been an object of the policy of France; you know to demonstration, that by this new accession of an enemy they are better able to distress it; and what is still more, you must know, that from this new circumstance it will be less in the power of Great Britain to defend it. The vicinity of Great Britain and of the English navy are great, but not infallible, guards. From the nature of naval defence, it must be uncertain; from the nature of foreign protection, it must be slow. If almost the whole maritime strength of Europe were united for you,

instead of being united against you, it might be eluded by a favourable wind of a few hours. For every assistance you must be indebted to the sea; but if the conveyance were certain, from what resources is this assistance to be drawn? Is it upon the land forces of Great Britain you depend? With twenty-five thousand men in Germany; with full that number in America; with twenty thousand men in the East and West Indies, and in Africa and Gibraltar; with five thousand at Belleisle;—with an army of seventy thousand men,—totally independent of what must always be kept at home for their own defence in different parts of Great Britain, and totally independent of that vast force which this new enemy will require,—can we expect that we shall always find a body of men ready at our command?

Is it upon the navy of England that we are to rely? If we had here the whole, the defence is uncertain; but, Sir, a considerable share of that navy must be kept for

the defence of Great Britain ; there must be one fleet on the French, and another on the Spanish coast. Great Britain has had during the course of the whole war two fleets in the West Indies, one at Jamaica and the other at the Leeward Islands ; one fleet in the East Indies, and another very considerable one in the Mediterranean : besides the convoys that are perpetually sent out for the security of the merchants. And now their fleets are called to the defence of their trade, to the defence of their plantations, which are more endangered than ever and exposed to an attack, by long and perilous voyages of South America and the Spanish West Indies, the only vulnerable part of that vast and unexhausted Monarchy. Before this new event, as long as your security depended upon blocking up a single port, it was well enough ; but now here is three times the coast to guard, while the force to guard it is three-fold less ; and our defence by being so expanded becomes weaker in every part. What are the expences of its revenue ?

Let any man judge from their fleets and armies, and from all those expences which though inseparable from, are not part of, their regular establishment. That of the artillery of the army in Germany in the last campaign amounted to one hundred thousand pounds: the forage of the army to two millions. To this we must add the hire of fifteen thousand foreigners in the pay of Great Britain; besides a subsidy of sixty thousand pounds per annum; and for interest of money more than one hundred thousand pounds, great part of which is paid to foreigners. We must not forget, that a considerable part of the money expended in the war, has been expended out of the kingdom. Supplies of sixteen millions per annum have been raised; and, to wind up the whole, a subsidy paid to the King of Prussia, which is exactly the amount of the nett revenue of Ireland. Now, Sir, let any gentleman suppose the wealth of Great Britain to be as ample as his imagination can form it; can he suppose it able to enlarge the plan of its expences? And yet

every particular I have enumerated is exclusive of all the additional efforts which are called for.—How, Sir, it has hitherto gone on, has been long an object of astonishment; and even by those, who wish its success the most, and who understand its interests the best, has never been accounted for.

What in reality does this Message say? In former times it was the great object of our politicks to prevent a union between France and Spain; at another period, between Spain and Austria; and millions have been expended with that view. A union of these three Powers was never dreamt of; but the addition of Russia to the number, would have been looked upon as inevitable ruin. What then does the Crown virtually say in this Message?—

“ Because I would not suffer the most known and established rights of my subjects to be torn from them, because I have asserted their rights, I am beset with enemies; because I have asserted them with success, those enemies multiply. The

four great States which constitute the strength of the Continent, are united against us. Nor is this all our difficulty : we have not only the Powers, but the passions of Europe to contend with ;—the hopes of Spain, young in the war ; the despair of France ; the arrogance of Austria, and the persevering insensibility of Russia.”—From one extremity to the other, what is there on the part of Great Britain ? Nothing but hireling and mercenary troops, who may perhaps hereafter fight under other banners, and become venal to a better bidder. We have indeed one Ally ; but one who is worn down by his love of enterprize, by his spirit of adventure, and by those repeated efforts of intrepid courage, which, when they are crowned with victory, are denominated heroism, and, when unsuccessful, temerity. Such are our enemies and allies ; while Holland idly hopes to avoid the calamities of war, and to reap the benefits of peace, by artful negociations and timorous neutrality. In Europe, Sir, therefore, we

see nothing but declared and strong enemies feeble friends, and Powers that consider their neutrality as friendship. Out of Europe, the situation and extent of the war is the map of the globe.—At home, every thing is giving way to a great and overbearing system of the revenue: exorbitant sums borrowed at exorbitant premiums; the country exhausted of men, oppressed by taxes, and pillaged by usurers.

What then is the case? Great Britain does not desire that your burthen should be heavier, that her's may be lighter; the question is not about the proportion of expence in one case, or the other. The truth is, that the efforts of that country have been stretched to the utmost: its faculties will go no farther: unless, therefore, you can supply some new defence for yourselves, Great Britain is apprehensive, that however it may be in her wish, it will not be in her power, to protect you. Her fleets and armies will be forced away to objects so numerous, at such a distance, and of so

much magnitude and importance, that it will, I fear, be impossible for her to give you that assistance you may want.

But, Sir, it is said, that the interests of this country are as peculiar and as detached as its situation; and that it should not be involved in any new expence on account of any new event in the system of Europe. Its poverty has been dilated upon; its restraints in trade have been lamented; and from all these taken together it is argued, that this expence is totally unnecessary, and that it will be absolutely insupportable. If, Sir, the purport of the Message under consideration were, like many Messages in Great Britain, to induce an additional expence, in order to give weight to some foreign negotiation, to take power out of this scale and put it into the other, lest at some remote and distant period of time a possible evil might arise, the argument might perhaps be not totally without foundation. But if this is not your own affair, I do not know what it is that peculiarly belongs to

you. The moment any Power declares war against Great Britain, she declares war against every part of her dominions. There is no particular exception, I believe, in favour of this country. They are all equally liable to be attacked in their trade and in their territory. You are bound, therefore, to the defence of the one and of the other. On what other principle was it, that you thought it necessary to augment your forces upon the declaration of the war with France, but that you yourselves were interested in the event, and became parties in the quarrel? Do you not stand precisely in the same situation now, with Spain, that you did then with France? And do you cease to pursue the same conduct, only because your motives for preserving it are stronger than ever? But, Sir, does not every man know that this war is not to support any ideal balance, or any imaginary system of speculative politicks? Has not this war been eminently marked out and distinguished as a commercial war?

Does not every one know, that this is the pursuit of every power in Europe?—that the object in dispute is changed ; and instead of coveting an immense extent of barren territory, they are now casting about every where for some sources of wealth, arising from industry and trade ?

But our trade, it is said, in some instances is to be restrained. This, Sir, in my opinion, is a topick both invidious and fallacious. Let us, however, suppose that it is so, and in the degree that is stated. In the ordinary affairs of life one is taught to believe, that the less one has to spare, the greater is the solicitude, the more is the anxiety with which we should watch over it. Who, Sir, can afford to lose his all, be that all ever so little ? Are not your branches of trade with Spain and Portugal, from the commodities exported the most beneficial, and from those imported the least prejudicial ; and the balance of the trade upon the whole the most profitable of any, to this country ? Must not the

obvious consequence of an unsuccessful war be the subjecting these branches of trade to new restrictions, and to higher duties? And will any man say, you are not interested in these events, and that they are such as will justify supineness and neglect?

But, Sir, supposing that your trade is restrained, how does that particularly affect the merits of this augmentation? What you call a restraint is not the restraint of to-day. You have been formed, you have grown up, you have flourished, under it. Every branch of the revenue, every supply from Parliament for a century has been granted under it. But when Gentlemen talk of restraints, it would be but candid to take likewise into their consideration, indulgencies. You will find that your trade has not been so properly restrained, as that the channel of it has been altered. While the market has been shut to your woollens, (though that only is true in a certain degree, for both to your raw wool,

and to your wool manufactured into yarn, it is still open,) yet, Sir, it should be remembered that markets have been opened to your provisions and your linen, to which you had not the smallest claim, and which the Parliaments of Queen Anne requested with the utmost submission, and received as the highest favour. In my opinion, Sir, it is not the interest of this country to set the example of distinction between it and Great Britain. He, Sir, who marks a separation of their interests, does what is the most likely thing in the world to beget a separation of their affections. Every body must have observed that these national prejudices have been dying away, and that a more enlarged and liberal spirit is springing up in their room.—But, Sir, can an opposition to the measure now proposed be considered as a conduct likely to lead to an extension of our trade? Will not Great Britain say, and will she not say with justice,—“ You have basked in the sunshine of my fortunes, and very loyally have partaken of my pros-

perity ; but when the hour of distress was come, I sought, but could not find you ; in the day of trial you forsook me."—In this view alone, Sir, to refuse her your assistance would be ingratitude ; and if your own immediate and personal safety should be endangered by such ill-judged policy, it would be little short of madness.

It is remarkable, Sir, in the Spanish Declaration of War, that after having provoked the Spaniards to enter into the views of the Court by every circumstance that could irritate their resentment, they then point out to them the easy means of gratifying it ; and state the facility with which a descent may be made on any part of the British dominions ; which the Court of Spain seems almost, as it were, to have pledged itself to attempt. But, Sir, we know from the reason of the thing, that carrying war into the country of an enemy, and especially into a country that has been long a stranger to its calamities, must be attended with many evils. I do not mean,

Sir, by a parade of recital, by any colouring or trick of speech, to aggravate improbable dangers, or to call up any one unnecessary fear, in order to serve the occasional purpose and the little turn of a debate. Sir, we have but to look abroad from one extremity of Europe to the other; to see the most abundant sources of compassion, of indignation, and of horror, which by their frequency are seen with indifference, and I fear are even grown into a kind of entertainment. But, Sir, these apprehensions, in general, have perhaps been somewhat over-rated. In such a country as Great Britain, grown to complete strength, advanced to full maturity and perfection, such an attack might destroy the produce of a season, or render useless perhaps the year. * Even in this kingdom, if it had happened half a century

* From a mark in the writer's manuscript, it seems doubtful whether the words from one asterisk to another were spoken.

ago, the impression of an enemy would have been but little; and they would have returned it into your hands, as they received it, a rude, inhospitable country. If it were to happen some years hence, if there were not strength enough to resist the blow, there might probably be strength enough to recover from it. But now, Sir, in this country, after the shock of the most inveterate and sanguinary factions, for near six hundred years past, you have at last subsided into settlement and order; you are emerging from the collected barbarism of ages, into arts, civility, and religion. Just when you have reached the shore, to be driven back to sea, to be plunged again into sloth, superstition, and ignorance, would be the height of calamity.*

Sir, I have been considering, if under these circumstances no additional strength had been proposed, how such conduct could have been defended. Let us suppose that, after the storm and ravage of such an invasion, when the enemy was driven out by

arms or had gone off by treaty, the adviser of such a neglect should meet face to face the shattered remains of a Parliament, with reduced fortunes and aggravated discontent. If he should say in his defence,—“ Gentlemen, I am extremely concerned for your condition ; I foresaw, indeed, the possibility of this event ; measures were proposed for your defence ; but I considered that the nation was poor, that it was already loaded, that the Parliament had given liberally, and that we had not all that freedom of trade I could have wished.” Sir, if any gentleman at such a time could have patience to give him an answer, would he not ask this statesman, how he came to prefer national economy to national safety ; the money to the existence of the nation ? How he came to have such an absurd balance in his politicks, as to put in competition so vast a danger with so small a saving ? Why, by his neglect of raising five regiments to defend you, he had invited fifty, of your enemies, to invade you ?—But

if he should shift his ground, and charge his neglect of the enemy upon his fear of this House; if he should say, that these were not his ideas, but he apprehended that they would be yours; that he thought the proposition would be unpopular without the House, and unacceptable within; would you not ask,—Upon what circumstance of their past conduct he grounded this conjecture of their future? Was it from their well-judged liberality that he presumed upon their unseasonable, their ruinous parsimony? And would you suffer him, instead of defending himself, to calumniate his country; and not satisfied with making them suffer the fatal consequence of his guilt, to load them with the guilt itself? What reply could such a person make? Must he not know, that he ought not to be reasoned with, but impeached for his conduct; and that even the indignation of an incensed House of Commons would scarcely appear adequate to his demerits? Must not I, Sir, confess, that I had seen

ninety thousand pounds advanced *partly* for manufactures without materials, and partly for navigations without water? That I had seen money given to individuals; and I appeal to the memory of the House, whether they who gave it, at the time of giving, did not ridicule the gift? This, Sir, is a true, but a very melancholy, recital; for who can hear without pain, the profusion of the publick money treated as a selected topick of facetiousness and humour?

If no such application as the present had been made, would it not, Sir, have been said, that while England was adding fleet to fleet, navy to navy, and regiment to regiment, this forlorn deserted country was not thought an object worthy of her attention; that even though Parliament was sitting, its sense was not taken; and that, if it were not now and then for a pension or a money-bill, the King would not know that he had such a kingdom belonging to his Crown?

These, Sir, are events which form the real difficulties of Administration. The

good-opinion of this House it has been the constant and darling object of this Administration to acquire and to preserve. When that is gone, I know of no one who would wish to hold the reins of Government an hour. But, Sir, it is one of the duties of Government to promote the remote interests of the people, against their immediate passions; to see that men should not suffer even from their own mistaken opinions. A firm and manly Administration pursues a straight and steady course. It will neither wish to subject the country to any one unnecessary burthen, nor will it, for the gratification of its own ease, under the ensnaring pretext of more than ordinary affection, by smooth insinuation, by flattery and by address, by art and by allurements, court men to their undoing. Sir, it is that alone that can give permanence to popularity or add stability to power, or make it even worth accepting.

After having compared the arguments for and against this measure, let any Gen-

tleman compare the consequences on each side. If we are wrong, the publick is put to an expence of , that is, every man in the kingdom on computation will pay : I embrace the accusation ; I will any day avow myself the author of this charge. If my opponents are wrong, who will undertake to recite all those miseries which their pernicious counsel may occasion ? In fact, they actually court invasion ; for what can be a stronger invitation to an attack, than declaring, that if attacked, you are not prepared to defend yourselves ? But, Sir, publick like private liberty consists, not only in a freedom from actual oppression, but in a conviction that you can at any time maintain that freedom, and withstand the oppressor. Your defence ought to be not only in proportion to the degree of danger, but to the importance of the thing endangered. It ought to be secured by all the bolts and bars which the laws can afford ; and all the forces which the revenue of the country can equip.

He is but half a lover of liberty who can rest satisfied with it upon sufferance. Uncertain, precarious, liberty is a degree of slavery.

Sir, I have considered as well as I am able what has been urged by various Gentlemen against this measure; and I own, I have not a feeling in common with them. I do not know of what materials they are formed, or in what mold they are cast. To me their supineness and their fortitude seem equally unaccountable. For my part, Sir, I am free to declare, that I am the greatest coward for the publick. National danger, publick calamities, can never be too much apprehended; and that oversolicitude which for one's self would be a weakness, for the State is meritorious.—Where does the argument against all that I have urged, terminate and bottom? Why, Sir, in the single word, **EXPENCE**; and a paltry economy is to overpower the strongest motives that can influence the minds of men. To say that you are at an

exorbitant expence, is saying what is extremely true, and what no man can contradict; it is saying in other words, and with more circumlocution,—that you are at war. I do not, I never did contend, that your burthen is not heavy. I did and I do contend only, that it is comparatively light. If you think not, look above or look below you. Compare yourself with Great Britain, or with America, and see what you will gain by the comparison. Look at Great Britain, almost at her last gasp, performing with even the most punctilious delicacy her engagements to her allies. Look into America: there is not a province of yesterday, not a colony of outcasts in America, who have not stood forward in the common cause. Whatever has been their conduct, they have not had even a part of your inducements. They have nothing that they inherited from their ancestors, nothing which they can transmit to their posterity. Their country is only a resort and an asylum of lawless, profligate,

and desperate men.—Great occasions call for great efforts. Is it to be wondered at that under these circumstances you cannot pursue the common round, the beaten and trampled path of parliamentary transactions? Under these circumstances, not to press forward is a crime; and under these calamities, he virtually contributes to that distress, and is a tacit abetter of those miseries, which hang over us, who is inactive in our defence.

In this situation, the Crown has done its duty by proposing this measure: we who have the honour to serve the Crown, have done our duty by recommending it. The House will adopt or reject it, as it thinks proper. But, Sir, whatever conduct may be pursued, there is not a gentleman who is for the measure or against it, who wishes more sincerely,—there never was a person in my situation who had half so many reasons to wish,—that this country may be prosperous. May it never feel the scourge of war! Long may it be exempt from the

calamities it brings with it! Long may it be happy, and long may it shew that it deserves that happiness, by being GRATEFUL *!

* From some notices in the margin of this speech, (which appears to be a first rough draft,) it should seem that some parts of it were afterwards altered; and it is probable, that when it was spoken, many additional topicks were introduced.

RESOLUTION

OF THE

HOUSE OF COMMONS OF IRELAND,

RESPECTING

THE APPOINTMENTS OF THE LORD LIEUTENANT,

FEBRUARY 26, 1762.

RESOLVED, *nemine contradicente*, That an Address be presented to his Excellency the Lord Lieutenant, that he will represent to his Majesty the sense of this House, that the entertainments and appointments of the Lord Lieutenant of Ireland are become inadequate to the dignity of that high office, and to the expence with which it is, and ought to be, supported; and that it is the humble desire of this House, that his Majesty will be graciously pleased to grant such

an augmentation to the entertainment of the Lord Lieutenant for the time being, as, with the present allowances, will in the whole amount to the annual sum of sixteen thousand pounds. And to express the satisfaction which we feel at the pleasing hope, that this just and necessary augmentation should take place during the administration of a Chief Governor, whose many great and amiable qualities, whose wise and happy administration in the government of this kingdom, have universally endeared him to the people of Ireland.

E. STERLING, }
H. ALCOCK, } Cler. Dom. Com.

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THE
ANSWER
OF THE
LORD LIEUTENANT

TO THE
ADDRESS OF THE HOUSE OF COMMONS,
FEBRUARY 27, 1762.

I SHALL take the first opportunity of laying before his Majesty the sense of the House of Commons contained in this Address. I enter fully into the truly liberal motives which have influenced your conduct in this unanimous Resolution. That you are solicitous not only to support his Majesty's Government, but to support it with becoming grandeur and magnificence, reflects the highest honour on yourselves :

that you have chosen the time of my administration,—that you have distinguished my person as the object of your favour,—reflects the highest credit on me ; and I must ever consider this event as one of the most fortunate and honourable circumstances of my life. Whatever merit you ascribe to me in the government of this kingdom, in reality arises from your own conduct, though your partiality would transfer it to mine. Your unanimity has first created this merit, and your liberality would now reward it.

I am sensible of the obligation you confer ; and I can in no way properly demonstrate my sense of it, but by being, as I am, unalterably determined to implore his Majesty, that I may be permitted to enjoy it pure and unmixed with the lucrative advantages which you propose should attend it. This affectionate address is intended as an honour to me ; that intention has, on your part, been fully answered :—to make it truly honourable, something is still ne-

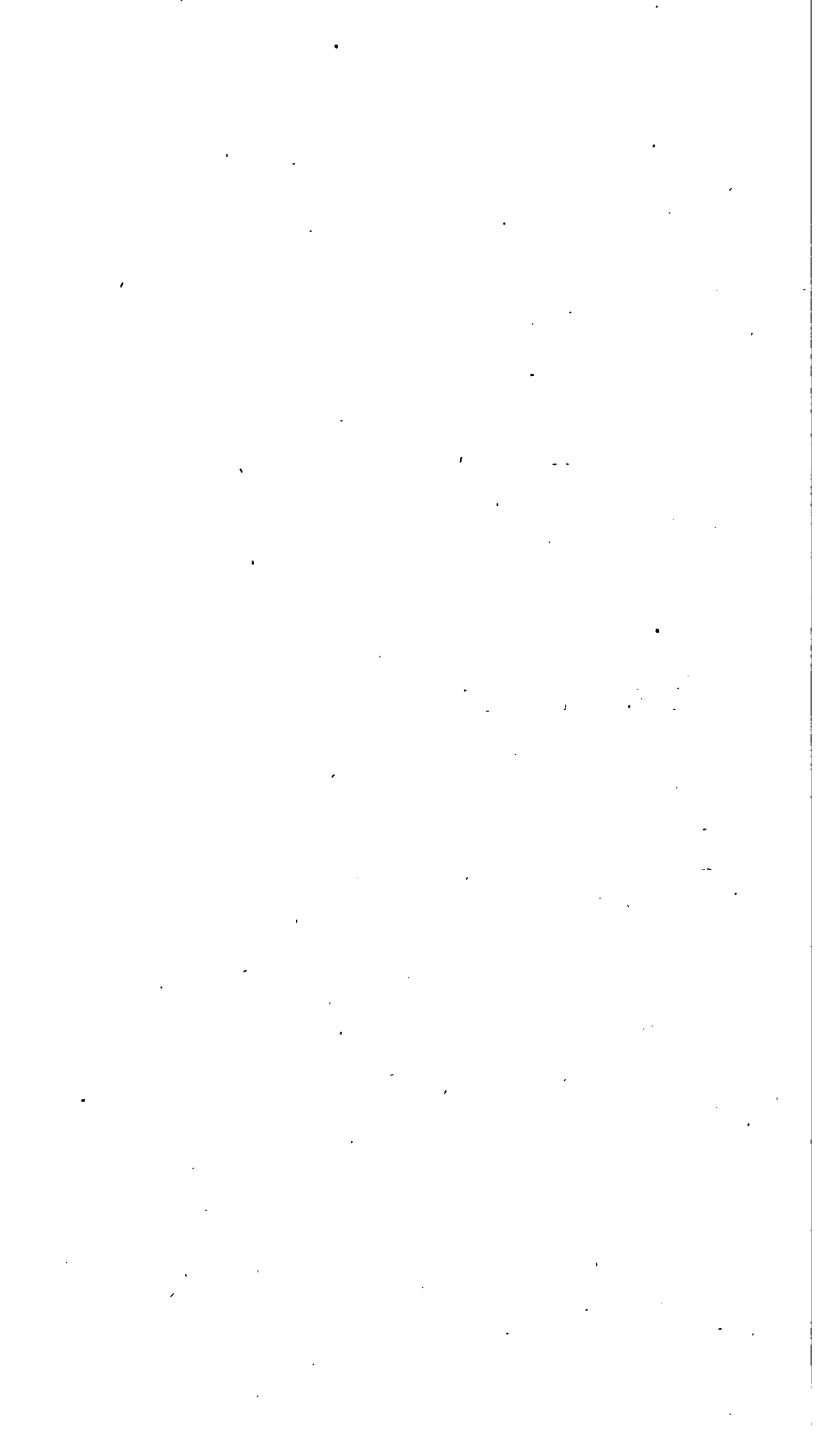
cessary on mine : it becomes me to vie with the generosity of Parliament, and to keep up an emulation of sentiment.—It has been my duty, in the course of this session, to propose large plans of publick expence, and to promise an attention to publick economy; and I could not without pain submit, that the establishment, already burthened at my recommendation, should be still further charged for my own particular profit.

But while I consider myself at liberty to sacrifice my private interests to my private feelings, I must consider myself as bound likewise to consult, in compliance with your enlarged and liberal sentiments, the future support of the station in which I am placed, to the dignity of which the emoluments are, as you represent them, inadequate. I shall transmit therefore the sense of the House of Commons, that the augmentation which your generosity has proposed, may, if his Majesty shall think fit, be made to the establishment of my successor, when he shall enter on the government of this king-

dom ; and when it is probable the circumstances of this country may be better able to support such additional burthen. But while I must decline accepting any part of the profits, I rejoice to charge myself with the whole of the obligation : abundantly happy, if, when I shall hereafter be removed from this high, and, through your favour, desirable situation, I should leave it, through your liberality, augmented in its emoluments, and by my inability not diminished in its reputation.

FOUR ODES,

FIRST PRINTED (BUT NOT THEN PUBLISHED)
ABOUT THE YEAR 1752.



ODE I

TO SLEEP.

I.

FRRIEND to the gloomy shade of night!
Vast source of fanciful delight!
Power! whose care-dissolving sway
The slave that pants o'er Indian hills,
The wretch whom snow-girt Zembla chills,
And wide creation's fertile race obey:
The joyous choristers that flit in air,
The mutes that dwell beneath the silver
flood,
The savage howling o'er the affrighted wood,
And man, the imperious lord of all, thy
power declare.

II.

Thy magick wand can oft restrain
The miser's sordid hopes of gain ;
Can make each heart-felt trouble cease ;
Or from the sickening thought suspend
The image of a dying friend ;
And lull suspicion's wakeful eyes in peace.
If thou but sooth the faithful lover's rest,
No fond remembrance of each parting sigh,
Of beauty's smile, or pity's streaming eye,
In grief's soft moments steal around his
aching breast.

III.

Fair virtue's friend! thou ne'er shalt shed
Thy blessings o'er the impious head,
Or 'midst the noise of crowds be found ;
Thy balm-distilling sweets alone
To ermin'd Innocence are known,
And gay Content, with rural garlands crown'd.
By thee the shadow-trembling murderer's
guilt
With double terror wrings the tortur'd soul ;
The purpled steel, the life-destructive bowl,
Recall the baleful horrors of the blood hespilt.

IV.

When by some pale and livid light
I cheat the tedious hours of night,
Indulging o'er the Attick page,
The dying taper warns to rest,
Thy visions seize my ravish'd breast,
And pictur'd beauties real woes assuage :
O'er Helicon * my bleating lambs I guard,
Or, mix'd with dull Bœotia's simple swains,
Protect my flocks in humble Ascre's plains,
And view the sky-born sisters hail their fa-
vourite bard.

V.

Methinks I hear the Theban lyre ;
I feel my ravish'd soul aspire :
The nymphs surround the infant boy,
Already conscious of his fame ;
The festive choirs their hopes proclaim,
While Pan exults with uncouth signs of joy :

* Hesiod is said to have led the life of a shepherd on Mount Helicon, where, as he relates in his Theogony, the Muses appeared to him, and adopted him in their service. V. 24.

For thee *, sole glory of thy abject race,
The thyme-fed bees their luscious sweets
diffuse,
To sooth the numbers of thy copious muse,
And in Bœotia fix each coy reluctant grace.

VI.

Oft fir'd with Bacchanalian rage,
The Father of the Grecian stage †
In terror clad, annoys my rest :
I feel unnumber'd horrors rise ;
The sight forsakes my swimming eyes,
While hissing furies rush upon my breast :

* Pindar : whose birth the Nymphs and Pan are said to have solemnized with dances : we are likewise told, that in his infancy the bees fed him with their honey. He was born at Thebes, the capital of Bœotia, a province remarkable for the dulness of its inhabitants, of which he himself takes notice in his Olympicks.

† Æschylus, who was reported never to have written but when inspired by wine ; he had a particular genius for terrifying the audience ; of which the Chorus of Furies in his Eumenides is a remarkable and well known instance. He was buried near the river Gela, where the tragedians performed dramas at his tomb.

In solemn pomp I see old Gela mourn ;
Dissolv'd in grief beside the poet's grave,
To sorrowing sounds he lulls each plaintive
 wave,
His willows fading, and his sea-green man-
 tle torn.

VII.

With longing taste, with eager lip,
In raptured visions oft I sip
The honeys of the tragick bee * ;
Whose strains could every tempest quell,
Could every noxious blast dispell,
And still the hollow roaring of the sea :
Whose powerful fancy, whose exhaustless
 vein,
Whose daring genius, whose triumphant
 wing,
Deep source from whence ten thousand
 rivers spring,
Just bounds could limit, and each rigid rule
 restrain.

* Sophocles, who, it is said, was able to check the
fury of the winds and sea. Philostratus de Vita Apol-
lonii Tyanei, lib. viii. page 393.

VIII.

How oft, inspir'd with magick dread,
 By fancy to the cave I'm led
 Where sits the wise Piérian Sage * ;
 With piercing eye, with pensive mind,
 In Attick solitude reclin'd,
 Stern virtue's precepts chill the poet's rage.
 Blest bard ! whose muse, mid mildest mo-
 rals strong,
 Could each rebellious appetite controul,
 Could wake each tender feeling of the soul,
 And deck instruction in the pleasing charms
 of song.

IX.

With patriot ardour I behold
 The mirthful muse, † for freedom bold ;

* Euripides, who, we learn from Aul. Gellius, lib. xv. cap. 20, page 418, was reported to have written many of his tragedies in an old melancholy cave. He was generally distinguished by the epithet of Wise.

† Aristophanes, who is esteemed to have been of singular service to the commonwealth, by represent-

Tho' chaste, severe ; tho' poignant, sweet ;
 For, long uncertain where to rest,
 At length upon the poet's breast
 The sportive Graces fix'd their gay retreat.
 With simpler strains the Dorick muses *
 charm ;
 And oft to nobler themes of heavenly praise
 As Lybia's poet † hymns his solemn lays,
 The wanton Teian loves ‡ each chaster
 thought disarm.

X.

Thus may thy languid charms dispense
 Their blessings o'er my ravish'd sense,
 By thee to Attick worlds convey'd :
 Thus, if at Juno's fond request
 Thou e'er on Ida's top oppress'd
 The Almighty Thunderer with thy dewy
 shade, §

ing to his fellow-citizens the pernicious designs of their leading men.

* Theocritus.

† Callimachus.

‡ Anacreon.

§ Alluding to a passage in Homer. Iliad ʒ. v. 233.

To sooth one mortal thy fond care employ !
And, Morpheus, thus may thy mild Le-
thean powers,
For ever hovering round my midnight
hours,
Thro' Fancy's mirror wrap me in idéal joy !

ODE II.

ON BEAUTY.

I.

AND wilt thou, Romeo, still maintain,
That Beauty holds a boundless reign,
Soft power, by all confest !
See'st thou the coward and the brave,
The free-born Briton and the slave,
With equal rapture blest !

II.

The Gods, indulgent to mankind,
The tenderest passion of the mind
With frugal hands dispense :
For faithless I can ne'er believe,
That rude untutor'd hearts perceive
The finer joys of sense.

III.

Mark but the ruthless Indian's soul,
Which no ingenuous thoughts controul,
Where pity never dwelt ;
By Beauty, Fancy's loveliest child,
Mid lorn Savannahs waste and wild,
With human feelings melt !

IV.

Behold the powerful charm assuage
The hoary lion's lawless rage ;
He owns the wanton fire ;
And, lordly roaming o'er the plain,
Singles the fairest of his train,
To feed the loose desire !

V.

But would'st thou feel a purer flame
Than e'en the warmest wish can frame,
By much too fine to cloy ;
Far, far beyond that aking breast,
With which the village-hind's oppress,
Who idly terms it joy ?

VI.

Has Heaven, indulgent to thy make,
Form'd thee to every sense awake,
 Blithe hope, or frantick fear ?
Can human miseries steal a sigh,
Or from thy soft consenting eye
 Can pity draw the tear ?

VII.

Canst thou with wild Othello glow
In all his maddening jealous woe,
 By Love's dark doubts distressed ?
With treacherous Jaffier dost thou feel
The impending tortures of the wheel,
 That wound his guilty breast ?

VIII.

Tell me, can Pindar's lofty strain,
Luxuriant Fancy's fruitful vein,
 The noblest thoughts infuse ?
Say, do you taste his generous fire,
Or canst thou feelingly expire
 To Sappho's plaintive muse ?

IX.

See'st thou the warmth, the grace divine,
That breathes thro' mild Correggio's line,
By Heaven's peculiar care?
Does Guido wrap thee in delight?
Can Titian's colours charm thy sight?
Or Julio's godlike air?

X.

Say, does thy heart with rapture spring,
When Handel strikes the magick string,
With transport do you hear?
Or dost thou languish into pain,
When soft Corelli's tender strain
Subdues the ravish'd ear?

XI.

Canst thou with Freedom's sons rejoice
To hear th' Athenian patriot's * voice,
'Mid tyrants undismay'd?
But fails his bolder fire,—O say,
Can Tully charm each sense away,
And baffle reason's aid?

* Demosthenes.

XII.

Canst thou with pity mov'd bewail
The simple Emma's hapless tale,
The fond believing heart?
Or say, does Eloisa's line,
Where learning, taste, and love combine,
A nobler flame impart?

XIII.

The Muse in mild melodious lays
Instruction's awful voice conveys,
And each wild wish disarms;
While picture's arts alone can trace
Each soften'd line, each secret grace,
And add to Beauty's charms.

XIV.

Should Hope her lenient aid refuse,
Tho' each disastrous day renews
One sadden'd scene of woe,
From pleasing symphony of sound,
When melting notes dissolve around,
Unnumber'd raptures flow.

XV.

Musick her sister arts may aid,
And Poetry o'er light and shade
 Reflect her mutual fire ;
Meek suppliants all at Beauty's shrine,—
In one united there shall join
 The Pencil, Muse, and Lyre.

ODE III.

TO TASTE.

SAY, Goddess, wilt thou never smile
Indulgent on Britannia's isle !
Hither thy gentle footsteps bend,
On Albion's sea-girt cliffs descend ;
O come, and with thy genial ray
Chase every gloomy cloud away !
No more shall ignorance preside,
Or Gothick Rage in triumph ride.
Let Judgment, thy unshaken friend,
With polish'd Elegance attend :
Simplicity, meek rural queen,
With downcast looks and modest mien,
In loosely-flowing neat attire,
Shall charm thee with her rustick lyre.

To that in her enchanting court
The frolick Graces ever sport ;
And guarded by their watchful aid,
The finer Arts shall never fade.

Blest power! whose charms alone dispense
A keener rapture to each sense,
If Melody enchant my breast,
Or sooth my softened soul to rest,
By thee may every strain be crown'd !
May'st thou still harmonize each sound !
If blooming colours seem to live,
May you fresh life and vigour give ;
May you restrain each poet's rage,
Or animate his purer page !
Do'st thou his savage wrath appease,
Ev'n Terror's giant-form can please ;
'Mid shadowy shapes in dead of night,
That shoot across my dazzled sight ;
'Mid spectres of enormous size,
'Mid ghosts that from their charnels rise,
'Mid shrouded friends who solemn stalk,
And haunt me in my midnight walk ;
While wild winds blustering round my head,
Inspire me with poetick dread ;

Thro' closing shades o'er valleys green,
May'st thou still solemnize the scene ;
And, as the storms innoxious roll,
Pour thy lov'd horrors o'er my soul !

Yet not alone Britannia's shore
Thy fatal absence shall deplore.
See old Achaia's genius mourn,
His bosom bare, his garments torn ;
See his generous patriot breast
By all his country's wrongs oppress :
See him with haughty fix'd disdain
Lament his dastard sons in vain !
To fairer happier climes belong
The painter's tints, the poet's song.
Lo ! conscious of approaching night,
Where Picture wings her destin'd flight.
Behold dejected Sculpture stand,
Prepar'd to leave our desert land.
Yet, Goddess, yet thy secret fire
With wondering rapture we admire ;
By thee 'mid rugged rocks we find
Each speaking passion of the mind ;
With awful horror we behold
The immense Alcides' monstrous mould ;

While Venus, queen of soft desires,
Each tender gentler thought inspires *.

O Alexander, not alone
The warrior's skill to thee was known:
Fair Science, heaven-descended maid,
Confesses thy propitious aid:
To thee the grateful Arts shall raise
Eternal monuments of praise;
Behold, with thee they die away,
To Roman ignorance a prey †;
And lo! again in conquering Rome
With all their usual vigour bloom;
Again they feel the fatal blow,
And sink beneath the Vandal foe ‡.

* The Hercules of the Farnese, and the Venus de Medici.

† In the year of Rome 585, the Romans, under the conduct of Paulus Æmilius, in the second Macedonian war, entirely subdued Greece, and led Perseus king of Macedon in triumph. It was not till after this victory that the Romans had any taste for the fine arts.

Græcia capta ferum victorem cepit, et artes
Intulit agresti Latio, &c.

Horat. Epist. I. Lib. ii.

‡ In the eighteenth year of Honorius, in the con-

Once more the Arts began to spread ;
Once more gay Science rear'd her head :
Alas ! in vain she strove to assuage
The enthusiast zealot's * bigot rage.
Wilt thou, O Taste, again appear,
Protectress of each circling year !
Wilt thou in all thy wonted prime
Review this lost unhallow'd clime ;
Or where far distant regions lie,
'Mid dreary desarts bloom and die !
Say, shall the stern Olympian god
No more in living marble nod !
Shall never Raffaele charm the heart,
Shall never Nature yield to Art !
Shall never Maro's beauties shine,
Except in Armstrong's classick line !
And does no Leo now remain,
Who yet shall cheer thy drooping train !

sulship of Varanes and Tertullus, [A. D. 410.] Rome was besieged and taken by the Barbarians, under the conduct of Godigisil, king of the Vandals.

* Pope Gregory, who ordered all the ancient statues and paintings to be destroyed, that there might be no remains of Heathenism.

There are, who still thy aid implore,
Who still thy sovereign power adore ;
Thy relicks with religious fear
Fond Italy shall yet revere.

Sweet power, in simple pomp array'd,
Be all thy native charms display'd.
Again reviving Sculpture breathes ;
Fair Science trims her blasted wreaths ;
With suppliant willing hand to thee
The pencil Picture shall decree ;
With one consent the Muse's choir
To thee shall dedicate the lyre.

Come, Goddess, feast my longing sight,
Let me direct thy pleasing flight :
Whate'er voluptuous slaves could boast
On fair Phæacia's sunny coast,—
Whate'er the poet's fancy taught,
Or imag'd to his wanton thought *,—
For thee a happier fate remains ;
You still shall view more blissful plains,
Where the soft guardian of thy charms
Expects thee to his longing arms:

* See Homer's description of the gardens of Alcinoüs, *Odyss.* VII. v. 112.

He shall with fix'd attention gaze,
Shall crown thee with immortal bays ;
With lenient hand thy cares assuage,
Protect thee from Time's lawless rage,
The taunt of scorn, the dark revile,
The languid, faint-approving smile,
The noise of Mirth, the plaintive sigh,
And simpering Folly's heedless eye.

Would'st thou with Innocence reside,
Behold the temple's modest pride * ;
Or in the darksome cavern'd cell
With solitary hermits dwell :
Would'st thou with faint desponding air
To melancholy vaults repair,
With aching, sicken'd, cold review,
Bid every sorrow stream anew,
Here may'st thou weep thy favourite Rome,
Sad-sighing o'er each martyr's tomb † :

* The Temple of Innocence and Hermit's Cell in the gardens at Godwood.

† The Catacombs at Godwood. Those in the Via Appia near Rome are generally supposed to be caves, where the primitive Christians concealed themselves from their persecutors, and interred those who were

Meek Pity, Attick maid, shall join
Her tender social tears with thine ;
O'er every urn fresh laurels strow,
And fondly emulate thy woe.
Or would'st thou newer worlds * survey,
Where Darkness holds her barren sway,
Where ne'er the Muse's chaplet blew,
Where Learning's laurel never grew ;
Where nature to our wondering eyes
Each salutary herb supplies ;
Where flowers their fragrant sweets diffuse ;
Where trees distil their kindly dews ;
And blest with every power to heal,
Soft slumbers o'er the senses steal :
In such enchanting, artless scenes,
'Mid bowery mazes, spreading greens,

martyrs for their religion. Mr. Wright, in his Travels through Italy, vol. i. pag. 357, acquaints us, that at the mouth of some of the niches were to be seen small vials, like lachrymatories, tinged with red, which they esteemed an indication that the bodies of martyrs were deposited there.

* Alluding to the American wood at Godwood. America is, from the late discovery of it, called the New World.

Sooth'd by the breezy western gale,
In scented grove, or rocky dale,
Or wandering from the russet cot,
To seek the deep embosom'd grot,
Beneath the orange shade inclos'd,
Or in the myrtle bower repos'd,
Or where the flaunting flowers have wove
With mingled sweets the high alcove,
Each Indian wooes his favourite mate ;
What Nature dictates they relate :
No youths by love's cold arts are won,
Nor maids by easy faith undone ;
With eye up-rais'd the simple swain
Dreads not the tortures of disdain,
But, kneeling at his fair one's feet,
Breathes vows unconscious of deceit :
Each pleasing sound she sighs to hear,
Repeated on her longing ear ;
Amaz'd, nor anxious to controul
The mutual wishes of her soul,
Attests each unknown power above,
As witness of her spotless love ;
Yet, rack'd by fond distrustful fears,
Pours out her aching heart in tears,

And tells to her admiring youth
Sweet tales of innocence and truth.

Fancy such raptures shall suggest,
Lov'd inmate of thy ravish'd breast ;
Shall point where wanton zephyrs stray,
And o'er the unruffled ocean * play ;
Or snatch thee to some wave-worn shore,
Where fierce Atlantick surges roar :
Where Plata with resistless force
Thro' deserts rolls his rapid course ;
Or where Maragnan proudly laves
Waste regions with his circling waves :
Where boundless Oronoko fills
His channels from a thousand hills,
And with regardless rage destroys ;
While twenty mouths with hideous noise,
From some immense Peruvian steep,
Spout his vex'd billows to the deep.
Thus while you view the tyrant flood,
Wild dread shall chill thy loitering blood ;
And frighted Fancy, self-amaz'd,
Start at the phantom she had rais'd.

* America is bounded on the west by the Pacific Ocean, and on the east by the Atlantick.

Should Nature's simple beauties fail,
And Art's gay structures more prevail,
Here too the polish'd dome is plac'd,
With each Vitruvian beauty grac'd :
Or would'st thou at the early dawn
Transport thee to the dew-clad lawn ;
Or from the mid-day fervor rove
Beneath the silent plantane grove ;
Or with the fairy elves be seen
In dances on the level green :
Should baleful War, 'mid loud alarms,
'Mid vanquish'd foes, and conquering arms,
'Mid hosts o'erthrown, and myriads slain,
On Britain fix his iron reign ;
Should Jove's fair daughter, oliv'd Peace,
Bid the wild battle's tumult cease ;
In polish'd ease you still shall share
Thy kind protector's fostering care ;
His faithful love shall still appear,
His friendly aid shall still be near ;
His constant, his unwearied power
Shall lull thee in the balmy bower ;
Shall watch thee o'er the dewy glade,
And guard thee from the midnight shade.

Thou too shalt all his toils repay,
Slow lingering here with fond delay ;
Here shalt thou choose thy favourite seat,
Here fix thy last, thy blest retreat ;
Each old Athenian bloom regain,
And here in Attick splendour reign.

O D E IV.

TO THE

Right Honourable the Lady * * * *,

ON THE DEATH OF HER SON.

WHILE you 'mid spring's gay month
deplore,

Till lessening grief's exhausted store,

By time subsiding, fail ;

The Muse, Affliction's constant friend,

With social woe shall still attend,

If aught her aid avail:

'Tis her's in life's most ruffled scene

To smooth Misfortune's angry mien,

And watch each rising sigh :

'Tis her's to bid the guilty fear,
To wipe the virtuous starting tear
That swells in Sorrow's eye.

'Mid simple Scythia's dreary land
Her gentle, sweet, assuasive hand
Could give sad Ovid rest ;
She still in mournful numbers pleas'd,
With her the hapless exile eas'd
His sadly-plaintive breast.

For thee she still shall seek the plain,
Where Severn leads his dusky train,
Or Wey's smooth waters roll ;
Her power could blunt Affliction's dart,
And fondly sooth the keener smart
Of Sappho's love-sick soul.

On you propitious she bestows
A mind too chaste for Sappho's woes,
Unstain'd by wild desire ;
She Sappho's charms in you supplies,
To me the partial power denies
The Lesbian's purer fire.

Did bounteous heaven, profusely kind,
To frame the favourite infant mind

Its fondest care employ ;

How idle yet the hopes you raise

In planning of his future days,

How vain each fancy'd joy !

Had Fate prolong'd the uncertain flame,

Nor from the weak enfeebled frame

Had life's sweet vision past ;

Who knows but angry heaven had still

With every baleful bitter ill

Each future day o'ercast !

Since awful Prudence ne'er appears,

Till calmer thoughts and milder years

Each lawless wish assuage ;

A fruit unknown to summer's heat,

That buds alone in life's retreat,

And only blooms in age.

'Mid solitude's sequester'd joy

May no rude cares thy peace destroy,

By sure Remembrance brought :

Nor e'er from grief's abundant source
May dark Reflection's secret force
Recall one aching thought.

Oft as to each regardless wind
With simple notes the village-hind
Attunes his love-lorn reed,
When Night her dewy curtain spreads,
And Cynthia silver glimmerings sheds
O'er thicket, vale, and mead ;

Thou, too, beneath the moon's pale gleams,
Shall haunt those glades, where fairystreams
To Sorrow's softness flow ;
Where Love and Grief alone have trod,
Where bending willows seem to nod
With sympathetick woe.

Wan Melancholy 'mid the storm
Shall rear her meek dejected form,
In sable vest array'd ;
While sullen Silence reigns around,
Her voice in slow and solemn sound
Shall whisper through the shade :

“ Stranger, draw near!—To sorrow true,
“ With me these lonesome walks review,
“ Where Horror’s charms invite ;
“ Daughter of Joy!—I know thy air !
“ Retract thy hurry’d steps!—nor dare
“ Profane each hallow’d rite !

“ To mix with Mirth’s mad train be thine :
“ The dismal drearier task be mine,
“ Mid these lorn scenes to weep !
“ My days in these still bowers immur’d,
“ By no false flattering hopes allur’d,
“ Shall one sad tenor keep.

“ Let Grief no more thy youth consume,
“ Nor sighing o’er the silent tomb
“ Thy piteous murmurs breathe :
“ Reject the gloomy cypress bough ;
“ Each airy form to grace thy brow
“ Shall twine the festive wreath.

“ The Infant Shade, where-e’er you rove,
“ Shall faithful to that sacred grove
“ With sure return appear ;

“ Nor e’er his filial love shall cease,—
“ He still with soothing sounds of peace
“ Shall charm thy listening ear.

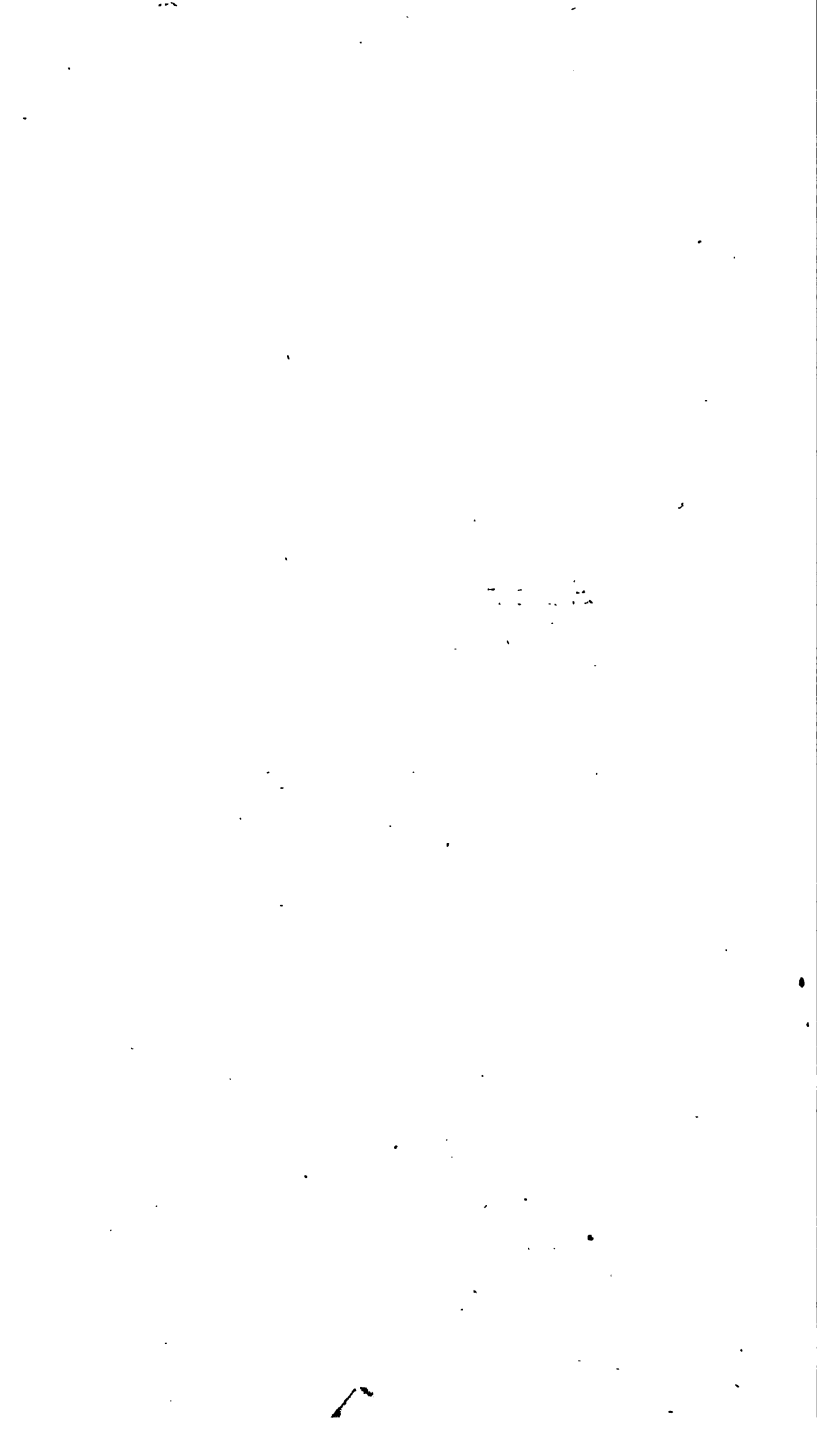
“ At morn, when deep sepulchral caves,
“ When opening vaults, and yawning graves
“ Their wandering dead recall ;
“ He ne’er shall quit that sainted place,
“ Till, lingering in thy fond embrace,
“ The shadowy tear shall fall.

“ May’st thou, ’mid Pleasure’s sons rejoice!
“ Each Muse shall with according voice
“ Confirm the pleasing tale.”

This said,—the melting Maid of Woe
Shall cease,—and o’er her charms shall throw
The thin translucent veil.

The time shall come, when Fancy’s power
To each slow-sorrowing pensive hour
Shall gladly bring relief;
When every care shall die away,
And wakeful Memory’s gentler sway
Dissolve the reign of Grief.

Thus, by the painter's just design,
From each judicious happy line
 The colours bloom or fade ;
Elude the nice observer's sight,
By soft gradations dawn to light,
 Or languish into shade.



APPENDIX.



APPENDIX.

CONSIDERATIONS ON CORN,

By SAMUEL JOHNSON, LL.D.

BY what causes the necessities of life have risen to a price at which a great part of the people are unable to procure them, how the present scarcity may be remedied, and calamities of the same kind may for the future be prevented, is an enquiry of the first importance; an enquiry before which all the considerations which commonly busy the Legislature vanish from the view.

The interruption of trade, though it may distress part of the community, leaves the

rest power to communicate relief; the decay of one manufacture may be compensated by the advancement of another; a defeat may be repaired by victory; a rupture with one nation may be balanced by an alliance with another. These are partial and slight misfortunes, which leave us still in the possession of our chief comforts. They may lop some of our superfluous pleasures, and repress some of our exorbitant hopes; but we may still retain the essential part of civil and of private happiness,—the security of law, and the tranquillity of content. They are small obstructions of the stream, which raise a foam and noise where they happen to be found, but at a little distance are neither seen nor felt, and suffer the main current to pass forward in its natural course.

But SCARCITY is an evil that extends at once to the whole community: that neither leaves quiet to the poor, nor safety to the rich; that in its approaches distresses all the subordinate ranks of mankind, and

in its extremity must subvert government, drive the populace upon their rulers, and end in bloodshed and massacre. Those who want the supports of life will seize them wherever they can be found. If in any place there are more than can be fed, some must be expelled, or some must be destroyed.

Of this dreadful scene there is no immediate danger ; but there is already evil sufficient to deserve and require all our diligence and all our wisdom. The miseries of the poor are such as cannot easily be borne ; such as have already incited them in many parts of the kingdom to an open defiance of Government, and produced one of the greatest of political evils,—the necessity of ruling by immediate force.

Cæsar declared after the battle of Munda, that he had often fought for victory, but that he had that day fought for life. We have often deliberated how we should prosper ; we are now to enquire how we shall subsist.

The present scarcity is imputed by some to the bounty for exporting corn, which is considered as having a necessary and perpetual tendency to pour the grain of this country into other nations.

This position involves two questions; whether the present scarcity has been caused by the bounty, and whether the bounty is likely to produce scarcity in future times.

It is an uncontroverted principle, that *sublatâ causâ tollitur effectus*: if therefore the effect continues when the supposed cause has ceased, that effect must be imputed to some other agency.

The bounty has ceased, and the exportation would still continue, if exportation were permitted. The true reason of the scarcity is the failure of the harvest; and the cause of exportation is the like failure in other countries, where they grow less, and where they are therefore always nearer to the danger of want.

This want is such, that in countries where money is at a much higher value than with us, the inhabitants are yet desirous to buy our corn at a price to which our own markets have not risen.

If we consider the state of those countries, which being accustomed to buy our corn cheaper than ourselves when it was cheap, are now reduced to the necessity of buying it dearer than ourselves when it is dear, we shall yet have reason to rejoice in our own exemption from the extremity of this wide-extended calamity: and if it be necessary to enquire why we suffer scarcity, it may be fit to consider likewise, why we suffer yet less scarcity than our neighbours.

That the bounty upon corn has produced plenty, is apparent,

Because ever since the grant of the bounty, agriculture has increased: scarce a session has passed without a law for enclosing commons and waste grounds:

Much land has been subjected to tillage, which lay uncultivated with little profit :

Yet, though the quantity of land has been thus encreased, the rent, which is the price of land, has generally encreased at the same time.

That more land is appropriated to tillage, is a proof that more corn is raised ; and that the rents have not fallen, proves that no more is raised than can readily be sold.

But it is urged, that exportation, though it encreases our produce, diminishes our plenty : that the merchant has more encouragement for exportation, than the farmer for agriculture.

This is a paradox which all the principles of commerce and all the experience of policy concur to confute. Whatever is done for gain, will be done more as more gain is to be obtained.

Let the effects of the bounty be minutely considered.

The state of every country with respect to corn is varied by the chances of the year.

Those to whom we sell our corn, must have every year either more corn than they want, or as much as they want, or less than they want. We likewise are naturally subject to the same varieties.

When they have corn equal to their wants, or more, the bounty has no effect; for they will not buy what they do not want, unless our exuberance be such as tempts them to store it for another year. This case must suppose that our produce is redundant and useless to ourselves; and therefore the profit of exportation produces no inconvenience.

When they want corn, they must buy of us, and buy at a higher price; in this case, if we have corn more than enough for ourselves, we are again benefited by supplying them.

But they may want, when we have no superfluity. When our markets rise, the

bounty ceases; and therefore produces no evil. They cannot buy our corn but at an higher rate than it is sold at home. If their necessities, as now has happened, force them to give an higher price, that event is no longer to be charged upon the bounty. We may then stop our corn in our ports, and pour it back upon our own markets.

It is in all cases to be considered, what events are physical and certain, and what are political and arbitrary.

The first effect of the bounty is the encrease of agriculture, and by consequence the promotion of plenty. This is an effect physically good, and morally certain. While men are desirous to be rich, where there is profit there will be diligence. If much corn can be sold, much will be raised.

The second effect of the bounty is the diminution by exportation of that product which it occasioned. But this effect is political and arbitrary; we have it wholly in

our own hands : we can prescribe its limits and regulate its quantity. Whenever we feel want or fear it, we retain our corn, and feed ourselves upon that which was sown and raised to feed other nations.

It is perhaps impossible for human wisdom to go further, than to contrive a law of which the good is certain and uniform, and the evil, though possible in itself, yet always subject to certain and effectual restraints.

This is the true state of the bounty upon corn : it certainly and necessarily encreases our crops, and can never lessen them but by our own permission.

That notwithstanding the bounty there have been from time to time years of scarcity, cannot be denied. But who can regulate the seasons? In the dearest years we owe to the bounty that they have not been dearer. We must always suppose part of our ground sown for our own consumption, and part in hope of a foreign sale. The time sometimes comes, when

the product of all this land is scarcely sufficient ; but if the whole be too little, how great would have been the deficiency, if we had sown only that part which was designed for ourselves.

“ But perhaps, if exportation were less encouraged, the superfluous stores of plentiful years might be laid up by the farmer against years of scarcity ?”

This may be justly answered by affirming, that, if exportation were discouraged, we should have no years of plenty. Cheapness is produced by the possibility of dearth. Our farmers at present plow and sow with the hope that some country will always be in want, and that they shall grow rich by supplying. Indefinite hopes are always carried by the frailty of human nature beyond reason. While therefore exportation is encouraged, as much corn will be raised as the farmer can hope to sell, and therefore generally more than can be sold at the price of which he dreamed, when he plowed and sowed.

The greatest part of our corn is well known to be raised by those who pay rent for the ground which they employ, and of whom few can bear to delay the sale of one year's produce to another.

It is therefore vain to hope that large stocks of grain will ever remain in private hands: he that has not sold the corn of last year will with diffidence and reluctance till his field again; the accumulation of a few years would end in a vacation of agriculture, and the husbandman would apply himself to some more profitable calling.

If the exportation of corn were totally prohibited, the quantity possible to be consumed among us would be quickly known, and being known, would rarely be exceeded; for why should corn be gathered which cannot be sold? We should therefore have little superfluity in the most favourable seasons; for the farmer, like the rest of mankind, acts in hope of success, and the harvest seldom outgoes the expectation of the spring. But for droughts or blights

we should never be provided ; any inter-temperature of seasons would reduce us to distress which we now only read of in our histories : what is now scarcity would then be famine.

What would be caused by prohibiting exportation, will be caused in a less degree by obstructing it, and in some degree by every deduction of encouragement : as we lessen hope, we shall lessen labour ; as we lessen labour, we shall lessen plenty.

It must always be steadily remembered, that the good of the bounty is certain, and evil avoidable ; that by the hope of exportation corn will be increased, and that this increase may be kept at home.

Plenty can only be produced by encouraging agriculture, and agriculture can be encouraged only by making it gainful. No influence can dispose the farmer to sow what he cannot sell ; and if he is not to have the chance of scarcity in his favour, he will take care that there never shall be plenty.

The truth of these principles our ancestors discovered by reason, and the French have now found it by experience. In this regulation we have the honour of being masters to those, who in commercial policy have been long accounted the masters of the world. Their prejudices, their emulation, and their vanity, have at last submitted to learn of us how to ensure the bounties of Nature; and it forms a strange vicissitude of opinions, that should incline us to repeal the law which our rivals are adopting.

It may be speciously enough proposed, that the bounty should be discontinued sooner. Of this every man will have his own opinion; which, as no general principles can reach it, will always seem to him more reasonable than that of another. This is a question of which the state is always changing with time and place, and which it is therefore very difficult to state or to discuss.

It may however be considered, that the

change of old establishments is always an evil ; and that therefore, where the good of the change is not certain and constant, it is better to preserve that reverence and that confidence which is produced by consistency of conduct and permanency of laws :—

That since the bounty was so fixed, the price of money has been much diminished ; so that the bounty does not operate so far as when it was first fixed, but the price at which it ceases, though nominally the same, has in effect and in reality gradually diminished.

It is difficult to discover any reason why that bounty which has produced so much good and has hitherto produced no harm, should be withdrawn or abated. It is possible, that if it were reduced lower, it would still be the motive of agriculture and the cause of plenty ; but why we should desert experience for conjecture, and exchange a known for a possible good, will not easily be discovered. If by a balance of probabilities, in which a grain of dust may turn the

scale,—or by a curious scheme of calculation, in which if one postulate in a thousand be erroneous, the deduction which promises plenty may end in famine,—if by a specious mode of uncertain ratiocination, the critical point at which the bounty should stop, might seem to be discovered, I shall still continue to believe that it is more safe to trust what we have already tried ; and cannot but think bread a product of too much importance to be made the sport of subtilty, and the topick of hypotheticalal disputation.

The advantage of the bounty is evident and irrefragable. Since the bounty was given, multitudes eat wheat who did not eat it before, and yet the price of wheat has abated. What more is to be hoped from any change of practice ? An alteration cannot make our condition better, and is therefore very likely to make it worse.

THE END.

